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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MICHIGAN.

~~~~~  
**1853.**  
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PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER THE
SUPERVISION AND DIRECTION OF

D. P. BUSHNELL,

CLERK OF THE HOUSE OF REPRESENTATIVES.

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**LANSING:**

**GEO. W. PECK, PRINTER TO THE STATE.**

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**1853.**



## HOUSE JOURNAL.

*Lansing, January 5, 1853.*

This being the day designated by the Constitution for the meeting of the Legislature, the Representatives met in their Hall, and at 10 o'clock, A. M., were called to order by Epaphroditus Ransom, a Representative from the county of Kalamazoo, on whose motion,

Edward G. Morton, a Representative from the county of Monroe, was appointed Speaker *pro tempore*.

On motion of D. G. Quackenboss, of the county of Lenawee, D. P. Bushnell was appointed Clerk *pro tempore*.

On motion of N. C. Parkhurst, of the county of Oakland, Bela Cogshall was appointed Sergeant-at-Arms *pro tempore*.

The roll of members elect was then called by counties, when the following members answered to their names:

*Allegan*—John Murphy.

*Barry*—Alvin W. Bailey.

*Berrien*—1st district, Harrison W. Griswold; 2d district, Michael Hand.

*Branch*—1st district, William P. Arnold; 2d district, Henry Davis.

*Calhoun*—1st district, John R. Palmer; 2d district, Bradley P. Hudson; 3d district, James Winters.

*Cass*—1st district, Evan J. Bonine; 2d district, Pleasant Norton.

*Chippewa, Marquette, and the counties thereto attached*—Heman B. Ely.

*Eaton*—George Jones.

*Genesee*—1st district, James Seymour; 2d district, Elbredge G. Gale.

*Hillsdale*—1st district, William R. Traver; 2d district, George Fitzsimmons; 3d district, Robert Worden, jr.

*Houghton and Ontonagon*—Abner Sherman.

*Ingham*—Ferris S. Fitch.

*Ionia*—Charles W. Ingalls.

*Jackson*—1st district, David McWhorter; 2d district, 3d district, Caleb M. Chapel.

*Kalamazoo*—1st district, ; 2d district, Epaphroditus Ransom.

*Kent*—1st district, Dewitt Shoemaker; 2d district, Henry C. Smith.

*Lapeer*—Horace N. Lathrop.

*Lenawee*—1st district, Daniel G. Quackenboss; 2d district, Sewell S. Goff; 3d district, Jeremiah D. Thompson; 4th district, Nelson Green.

*Livingston*—1st district, Charles W. Haze; 2d district, James Gleason.

*Mackinac*—Alexander Toll.

*Macomb*—1st district, Samuel P. Canfield; 2d district, ; 3d district, William A. Burt.

*Monroe*—1st district, Alfred G. Bates; 2d district, Edward G. Morton.

*Montcalm, and counties thereto attached*—Charles C. Ellsworth.

*Newaygo, and counties thereto attached*—James J. Strang.

*Oakland*—1st district, Henry Miller; 2d district, Nathan C. Parkhurst; 3d district, William R. Marsh; 4th district, Eli H. Bristol; 5th district, Orrin Poppleton.

*Ottawa*—Hiram Jennison.

*Saginaw*—Alfred M. Hoyt.

*Sanilac and Huron*—Peter H. Benedict.

*Shiawassee*—Nicholas Gulick.

*St. Clair*—1st district, William T. Mitchell ; 2d district, John P. Gleason.

*St. Joseph*—1st district, Charles L. Miller ; 2d district, John W. Frey.

*Tuscola*—Paschal Richardson.

*Van Buren*—Charles P. Sheldon.

*Washtenaw*—1st district, Ira Rider ; 2d district, John Renwick ;

3d district, Salmon L. Haight; 4th district, Malcomb McDougall; 5th district, Alexander Ewing.

*Wayne*—1st district, William F. Chittenden, Jeremiah O'Callaghan, John Reno; 2d district, William W. Irwin; 3d district, Thomas P. Matthews; 4th district, William H. Gregory; 5th district, William E. Warner.

On motion of Mr. Parkhurst,

A committee of three, consisting of Messrs. Parkhurst, Norton and Renwick, were appointed to wait on the Lieutenant Governor, and invite him to administer the oath of office to the members elect, who soon after reported that they had discharged the duty assigned them, and that the Lieutenant Governor was in attendance.

All the members who had answered to their names, then took and subscribed the constitutional oath of office before Lieutenant Governor Andrew Parsons.

On motion of Mr. Chittenden,

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House, until otherwise ordered.

On motion of Mr. Ely,

*Resolved*, That the clerk furnish each member of the House with a copy of the rules of the last Legislature.

Mr. Chittenden gave notice that on some future day he should move for leave to introduce

A bill to cede jurisdiction to the United States over certain grounds for the erection of light houses at La Pointe, Round Island, and Eagle River.

On motion of Mr. Parkhurst,

A committee of two, consisting of Messrs. Parkhurst and Mitchell, was appointed to wait upon the Senate, and inform that body that the House was temporarily organized and ready to communicate with the Senate.

The committee soon after returned and reported that they had waited on the Senate, and that the Senate had not yet effected an organization.

Mr. Ely moved that the House now proceed to the election of a Speaker.

Pending which,

On motion of Mr. Mitchell,

The House adjourned until half-past 2 o'clock P. M.

*Afternoon Session.*

Half-past 2 o'clock.

The House was called to order by the Speaker *pro tempore*.

The roll was called and a quorum found to be present.

On motion of Mr. Ely,

The House then proceeded to the election of a Speaker, with the following result:

FOR DANIEL G. QUACKENBOSS:

|                |              |                |    |
|----------------|--------------|----------------|----|
| Mr. Arnold,    | Mr. Haight,  | Mr. Parkhurst, |    |
| Benedict,      | Hand,        | Poppleton,     |    |
| Burt,          | Haze,        | Ransom,        |    |
| Canfield,      | Ingalls,     | Reno,          |    |
| Chittenden,    | Irwin,       | Richardson,    |    |
| Craven,        | Jennison,    | Rider,         |    |
| Davis,         | Jones,       | Seymour,       |    |
| Ellsworth,     | McDougall,   | Sherman,       |    |
| Ely,           | Marsh,       | Shelden,       |    |
| Fitch,         | H. Miller,   | Shoemaker,     |    |
| Fitzsimmons,   | Mitchell,    | Smith,         |    |
| J. Gleason,    | Morton,      | Strang,        |    |
| J. P. Gleason, | Murphy,      | Toll,          |    |
| Goff,          | Norton,      | Traver,        |    |
| Griswold,      | O'Callaghan, | Warner,        |    |
| Gulick,        | Palmer,      | Worden,        | 48 |

FOR DAVID M'WHORTER:

|             |             |              |    |
|-------------|-------------|--------------|----|
| Mr. Bonine, | Mr. Haight, | Mr. Renwick, |    |
| Chapel,     | Hoyt,       | Root,        |    |
| Ewing,      | Hudson,     | Thompson,    |    |
| Frey,       | Matthews,   | Winters,     |    |
| Gregory,    |             |              | 13 |

FOR ZACHARIAH CHANDLER:

|              |                |   |
|--------------|----------------|---|
| Mr. Bristol, | Mr. McWhorter, | 2 |
|--------------|----------------|---|

FOR EPAPHRODITUS RANSOM:

|                  |   |
|------------------|---|
| Mr. Quackenboss, | 1 |
|------------------|---|

Daniel G. Quackenboss, of the county of Lenawee, was then declared duly elected Speaker of the House of Representatives.

On motion of Mr. Mitchell,



A committee of two, consisting of Messrs. Mitchell and Ransom, was appointed to wait on the Speaker elect to the Chair.

The committee having discharged that duty, the Speaker, on assuming the Chair, addressed the House as follows:

*Gentlemen of the House of Representatives:*

Permit me to thank you for the honor conferred, in selecting me to preside over your deliberations. I accept of the office with fear, much doubting whether my health will permit me to discharge the duties in a manner acceptable to you all.

I must, therefore, ask your kind forbearance, and I shall hope, also, to receive your co-operation and support in the discharge of my duties, which shall be discharged with strict impartiality to all. I will now assume the duties of the Chair.

On motion of Mr. Ely,

The House then proceeded to the election of chief clerk.

Daniel P. Bushnell, of the county of Wayne, was elected, as follows:

FOR DANIEL P. BUSHNELL:

|                  |              |                |
|------------------|--------------|----------------|
| Mr. Arnold,      | Mr. Hand,    | Mr. Poppleton, |
| Bailey,          | Haze,        | Ransom,        |
| Bates,           | Hoyt,        | Reno,          |
| Benedict,        | Ingalls,     | Richardson,    |
| Burt,            | Irwin,       | Rider,         |
| Canfield,        | Jones,       | Seymour,       |
| Chittenden,      | Lathrop,     | Sherman,       |
| Davis,           | McDougall,   | Shelden,       |
| Ellsworth,       | Marsh,       | Shoemaker,     |
| Ely,             | H. Miller,   | Smith,         |
| Fitch,           | Mitchel,     | Strang,        |
| Fitzsimmons,     | Morton,      | Toll,          |
| James Gleason,   | Norton,      | Traver,        |
| John P. Gleason, | O'Callaghan, | Warner,        |
| Goff,            | Palmer,      | Worden,        |
| Griswold,        | Parkhurst,   | Speaker.       |
| Gulick,          |              |                |

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FOR WILLIAM H. PINCKNEY:

|              |             |                   |
|--------------|-------------|-------------------|
| Mr. Bristol, | Mr. Haight, | Mr. C. L. Miller, |
| Bonine,      | Hudson,     | Renwick,          |
| Chapel,      | Lovell,     | Root,             |
| Ewing,       | McWhorter,  | Thompson,         |
| Frey,        | Matthews,   | Winters,          |
| Gregory,     |             |                   |

16

Mr. Gulick announced that Robert E. Craven, the member elect from the counties of Clinton and Gratiot, was in attendance ; and Mr. Ransom announced that George W. Lovell, a member elect from the county of Kalamazoo, and Amos Root, a member elect from the county of Jackson, were also in attendance.

The constitutional oath was then administered by the Speaker to said members elect, and they severally took their seats as members of the House.

On motion of Mr. Gulick,

The House then proceeded to the election of Enrolling and Engrossing Clerk.

Digby V. Bell, Jr., of the county of Ingham, was duly elected, as follows :

FOR DIGBY V. BELL, JR. :

|                  |              |             |
|------------------|--------------|-------------|
| Mr. Arnold,      | Mr. Ingalls, | Mr. Ransom, |
| Bailey,          | Irwin,       | Reno,       |
| Benedict,        | Jennison,    | Richardson, |
| Burt,            | Jones,       | Rider,      |
| Canfield,        | Lathrop,     | Root,       |
| Chittenden,      | McDougall,   | Seymour,    |
| Ely,             | Marsh,       | Sherman,    |
| Fitch,           | H. Miller,   | Sheldon,    |
| Fitzsimmons,     | Mitchell,    | Shoemaker,  |
| James Gleason,   | Morton,      | Smith,      |
| John P. Gleason, | Murphy,      | Strang,     |
| Goff,            | Norton,      | Toll,       |
| Griswold,        | O'Callaghan, | Traver,     |
| Gulick,          | Palmer,      | Warner,     |
| Hand,            | Parkhurst,   | Worden,     |
| Haze,            | Poppleton,   | Speaker, 48 |

FOR JAMES M. PARSONS :

|            |           |                |
|------------|-----------|----------------|
| Mr. Bates, | Mr. Frey, | Mr. McWhorter, |
| Bristol,   | Gregory,  | C. L. Miller,  |
| Bonine,    | Haight,   | Renwick,       |
| Chapel,    | Hudson,   | Thompson,      |
| Ewing,     | Lovell,   | Winters, 15    |

On motion of Mr. Parkhurst,

The House then proceeded to elect a Sergeant-at-Arms, with the following result:

FOR BELA COGSHALL :

|             |             |                |
|-------------|-------------|----------------|
| Mr. Arnold, | Mr. Gulick, | Mr. Poppleton, |
| Bailey,     | Hand,       | Ransom,        |

|                |              |             |    |
|----------------|--------------|-------------|----|
| Benedict,      | Haze,        | Reno,       |    |
| Burt,          | Ingalls,     | Richardson, |    |
| Canfield,      | Jennison,    | Rider,      |    |
| Chittenden,    | Jones,       | Seymour,    |    |
| Davis,         | Lathrop,     | Sherman,    |    |
| Ellsworth,     | McDougall,   | Shelden,    |    |
| Ely,           | Marsh,       | Shoemaker,  |    |
| Fitch,         | H. Miller,   | Smith,      |    |
| Fitzsimmons,   | Mitchell,    | Strang,     |    |
| Gale,          | Murphy,      | Toll,       |    |
| J. Gleason,    | Norton,      | Traver,     |    |
| J. P. Gleason, | O'Callaghan, | Warner,     |    |
| Goff,          | Palmer,      | Worden,     |    |
| Griswold,      | Parkhurst,   | Speaker,    | 48 |

## FOR GORDON CASE:

|              |             |                   |    |
|--------------|-------------|-------------------|----|
| Mr. Bristol, | Mr. Haight, | Mr. C. L. Miller, |    |
| Bonine,      | Hoyt,       | Renwick,          |    |
| Chapel,      | Lovell,     | Root,             |    |
| Ewing,       | McWhorter,  | Thompson,         |    |
| Frey,        | Matthews,   | Winters,          |    |
| Gregory,     |             |                   | 16 |

Bela Cogshall was thereupon declared duly elected Sergeant-at-Arms.

On motion of Mr. Ely,

A committee of two, consisting of Messrs. Ely and Ellsworth, were appointed to act with the like committee on the part of the Senate, to wait upon the Governor, and inform him that the two Houses were organized and ready to receive any communication he might be pleased to make.

A committee, consisting of Senators Griswold and Dickey, was then announced from the Senate, who informed the House that the Senate was organized and ready to proceed to business.

On motion of Mr. Mitchell,

A committee of two, consisting of Messrs. Mitchell and Worden, was then appointed to wait upon the Senate, and inform that body that the House was organized and ready to proceed to business.

The committee soon after reported that they had discharged the duty assigned them.

On motion of Mr. Mitchell,

The constitutional oath of office was then administered by the Speaker to the several officers elect of the House.

Mr. Ely, from the committee appointed to act with Senate committee, and wait upon the Governor, reported that the committee had discharged the duty for which they were appointed, and that the Governor had informed the committee that he would immediately communicate with the two Houses in writing.

Mr. Chittenden submitted the following resolution :

*Resolved*, That the Clerk of this House be, and is hereby authorized to appoint an assistant clerk, whose pay shall not exceed three dollars per day.

Lost.

The Governor's annual message was then received, at the hands of P. J. Loranger, his private secretary.

The message was then read in part, when,

On motion of Mr. Ellsworth,

The further reading thereof was dispensed with.

Mr. Chittenden moved that 2,500 extra copies of the message be printed for the use of the House.

Lost.

On motion of Mr. Mitchell,

The same was ordered laid on the table and printed.

Mr. Parkhurst offered the following resolution :

*Resolved*, That the Speaker be authorized to appoint two firemen and six messengers, whose pay shall not exceed two dollars per day.

Mr. Thompson moved to amend, so that it should read "four messengers," instead of "six."

Mr. Winters moved that three only be appointed.

The question was first taken on "six;" and lost.

The question was then taken on "four;" and agreed to.

And the resolution, thus amended, was adopted.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,  
Lansing, January 5, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

A concurrent resolution relative to joint rules of the two Houses, and rules in joint convention;

Which the Senate have adopted, and in which I am instructed to respectfully ask the concurrence of the House.

Yours, &c.,

O. W. MOORE,

*Sec. Senate.*

The resolution was concurred in.

Mr. Ely gave notice that he should ask leave to-morrow to bring in

A bill entitled a bill to provide for the construction of a ship canal at the Falls of St. Mary's River.

Mr. Strang stated that he had this morning been placed under arrest by the Sheriff of Wayne county, under the authority of a process issued by one of the courts of the county of Michilimackinac; and it being a question of privilege, asked that the House would take such action in the matter as it might judge the circumstances required.

Mr. Chittenden moved that the House order the officer making the arrest to be taken into custody.

Mr. Ransom moved that the whole subject be laid on the table.

Agreed to; when

On motion of Mr. Morton,

The House adjourned till 10 o'clock to-morrow.

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*Lansing, January 6, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Fitch.

The roll was called and a quorum of members found to be present.

The journal was read, corrected and approved.

The Speaker announced the following appointments, under the resolution of the House :

Firemen—Patrick Kelley, S. M. Barron.

Messengers—Porter Lathrop, John Berry, Leonard Leland, David P. Parsons.

Mr. Sherman presented the memorial of C. W. Tuttle, under-sheriff of Wayne county, asking permission of the House to remove James J. Strang, a member thereof.

On motion of Mr. Sherman,

Referred to committee of the whole.

The following communication was then announced from the Auditor General :

AUDITOR GENERAL'S OFFICE, }  
Lansing, January 5, 1853. }

*To the Speaker of the House of Representatives:*

I have the honor to transmit herewith the annual report from this office.

Very Respectfully,

JOHN SWEGLES,

*Auditor General.*

On motion of Mr. Mitchell,

Ordered laid on the table and printed.

Also the following :

AUDITOR GENERAL'S OFFICE, }  
Lansing, January 5, 1853. }

*To the Legislature of the State of Michigan:*

As required by section 39, chapter 172, I have examined the accounts of the agent of the State Prison, and find them correct, as appears from the books of this office.

The report of the agent is herewith transmitted.

JOHN SWEGLES,

*Auditor General.*

On motion of Mr. Poppleton,

Ordered laid on the table and printed.

Also the following message from the Senate :

SENATE CHAMBER, }  
Lansing, January 5, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to inform the House that the Senate have appointed Senators Harrington and Pierce a committee, to join a like committee on the part of the House, to wait upon the Governor and

inform him that the two Houses are organized, and ready to receive any communication he may be pleased to make.

Very Respectfully,

O. W. MOORE,

*Sec'y. Senate.*

Also the following :

SENATE CHAMBER, }  
*Lansing, January 6, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted a “joint resolution relative to postage,” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

*Sec'y Senate.*

The joint resolution, a suspension of the rules having been ordered,

On motion of Mr. Parkhurst,

Was adopted by the House.

Mr. Marsh offered the following resolution :

*Resolved*, That the Sergeant-at-Arms be authorized to appoint a door-keeper, whose pay shall not exceed one dollar per day.

Mr. Norton offered the following:

*Resolved*, That the Secretary of State be requested to furnish each member for use during the session, with a copy of the revised statutes of 1846, and a copy of the session laws of 1846, and each succeeding year, and a copy of the journals and documents of the last Legislature, or as many thereof as can be spared.

Adopted.

Mr. Mitchell offered the following preamble and resolution :

*Whereas*, It has come to the knowledge of this House, that James J. Strang, one of its members, has been arrested by C. W. Tuttle, contrary to the privileges of this House, therefore be it

*Resolved*, That the said C. W. Tuttle be ordered immediately into the custody of the Sergeant-at-Arms, and brought before this House to answer for his contempt;

*And be it further resolved*, That the said C. W. Tuttle produce to this House all papers in his possession or under his control, touching

said arrest, or relating to the offence whereof said member stands accused, that this House may the better judge of the fact and of the grounds of the accusation, and how far the manner of the arrest may concern the privileges of this House.

Mr. Ellsworth moved to lay on the table.

Agreed to.

Mr. Mitchell, by unanimous consent, previous notice not having been given, introduced

A bill to amend section six of chapter 170 of the revised statutes of 1846.

Read a first and second time, and a suspension of the rules ordered, to put the same to a third reading, when it was so read, and passed by the following vote :

#### YEAS:

|                |               |                |    |
|----------------|---------------|----------------|----|
| Mr. Arnold,    | Mr. Griswold, | Mr. Parkhurst, |    |
| Bailey,        | Haight,       | Poppleton,     |    |
| Bates,         | Hand,         | Ransom,        |    |
| Benedict,      | Haze,         | Reno,          |    |
| Bristol,       | Hoyt,         | Renwick,       |    |
| Bonine,        | Hudson,       | Richardson,    |    |
| Burt,          | Ingalls,      | Rider,         |    |
| Canfield,      | Jennison,     | Root,          |    |
| Chapel,        | Jones,        | Seymour,       |    |
| Craven,        | Lathrop,      | Sherman,       |    |
| Davis,         | Lovell,       | Sheldon,       |    |
| Ellsworth,     | McDougall,    | Shoemaker,     |    |
| Ely,           | McWhorter,    | Smith,         |    |
| Ewing,         | Marsh,        | Strang,        |    |
| Fitch,         | Matthews,     | Thompson,      |    |
| Fitzsimmons,   | H. Miller,    | Toll,          |    |
| Frey,          | C. L. Miller, | Traver,        |    |
| Gale,          | Mitchell,     | Warner,        |    |
| J. Gleason,    | Morton,       | Winters,       |    |
| J. P. Gleason, | Murphy,       | Worden,        |    |
| Goff,          | Norton,       | Speaker,       |    |
| Gregory,       | Palmer,       |                | 65 |

#### NAYS:

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Mr. Ransom moved that when this House adjourn, it adjourn to meet at 10 o'clock, A. M., to-morrow.

Agreed to.

Mr. Palmer offered the following resolution:

*Resolved*, That Andrew J. Graham be and he is hereby appointed Reporter to the House of Representatives for the present session, at



a salary not exceeding three dollars per day, whose duty it shall be to furnish to the tri-weekly State Journal, and to the Sentinel, sketches of the debates of this body.

Adopted.

Mr. Reno offered the following:

*Resolved*, That the clerk of this House be directed to procure the translation of the Governor's message into the German, Dutch and French languages, and that two thousand copies in each language be ordered printed.

On motion of Mr. Ransom,

Ordered laid on the table.

Mr. Ely offered the following:

*Resolved*, That Mr. Ely have leave to introduce "a bill to provide for the construction of a ship canal at the Falls of the St. Mary's River," and that Mr. Sherman, of Ontonagon, be associated with him, as a special committee to bring in said bill.

On motion of Mr. Ellsworth,

Ordered laid on the table.

Mr. Chittenden offered the following;

*Resolved*, That 400 copies of the journal of this House be ordered printed daily for the use of the members and officers of the House.

Mr. Benedict moved to strike out "400" and insert "800."

Agreed to.

The resolution was then adopted, and

Mr. Ewing offered the following:

*Resolved*, That each member of the House be allowed five dollars for stationery and newspapers; and that the committee on supplies be authorized to furnish the chairman, clerk, enrolling and engrossing clerk of this House with the amount of stationery necessary for them in the discharge of their official duty.

Adopted.

Mr. Worden offered the following:

*Resolved*, That there be fifteen hundred copies of the Auditor General's report printed for the use of the House.

Mr. Ewing moved to strike out "1500" and insert "800."

Mr. Parkhurst moved to insert "3000."

Agreed to.

And the resolution thus amended was adopted.

Mr. Sherman gave notice that on to-morrow he would ask leave to introduce

A bill to authorize the formation of corporations for mining copper, iron, coal, and other minerals, and for smelting and preparing the same, and for other mechanical business.

Mr. Sherman also gave notice that on some future day he would ask leave to introduce

A joint resolution relative to a grant of lands by Congress to aid in constructing a rail road to the Upper Peninsula of Michigan.

Mr. Ely, on leave, pursuant to previous notice, introduced

A bill for the construction of a ship canal at the Falls of St. Marie's River.

Read a first and second time, and ordered laid on the table and printed.

Mr. Gulick moved to take from the table the resolution offered by Mr. Mitchell, relative to the arrest of Mr. Strang, by the under-sheriff of Wayne county, and to refer the same to the committee of the whole.

Agreed to.

Mr. Chittenden moved that the House do now go into committee of the whole.

Mr. Morton moved that the committee of the whole be discharged from further consideration of the subject, and that it be referred to a select committee of five.

The question being taken on the motion of Mr. Chittenden,

The same did not prevail.

The motion of Mr. Morton was then agreed to.

Mr. Morton then moved that the select committee be composed of the following members :

Messrs. Ransom, Ellsworth, Mitchell, Hudson, and Seymour.

Mr. Ransom asked that he be excused from serving on the committee.

On motion of Mr. Poppleton,

He was so excused.

Mr. Mitchell moved that Mr. Morton be placed upon the committee in the place of Mr. Ransom.

Mr. Morton moved that the House do now adjourn.

Lost.

The question was then taken on the motion of Mr. Mitchell, and the same prevailed.

Mr. Speaker then announced as the select committee, Messrs. Morton, Ellsworth, Mitchell, Hudson, and Seymour.

On motion of Mr. Mitchell,

The resolution offered by himself, this morning, was taken from the table and referred to the select committee.

Mr. Norton moved that the House adjourn.

Lost.

Mr. Ellsworth moved that the select committee be discharged from further consideration of the subject referred to them.

Lost.

On motion of Mr. Parkhurst,

The House adjourned.

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*Lansing, January 7, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and a quorum of members was found to be present.

The journal was read, corrected and approved.

The Speaker announced the appointment of the following standing committees :

*Ways and Means*—Messrs. Morton, Jenison, Rider, H. Miller, Root.

*Judiciary*—Messrs. Ransom, Mitchell, Ellsworth, Davis, Chapel.

*Federal Relations*—Messrs. Parkhurst, Rider, Bailey, Haze, Bonine.

*Printing*—Messrs. H. Miller, Morton, Davis, Ingalls, Root.

*State Affairs*—Messrs. Seymour, Norton, Fitch, Goff, Lovell.

*Harbors*—Messrs. Irwin, Jones, Hand, Haze, Hoyt.

*Banks and Incorporations*—Messrs. Worden, Chittenden, McDougall, Parkhurst, Bates.

*Agriculture and Manufactures*—Messrs. James Gleason, Fitzsimmons, Sheldon, Canfield, Haight.

*Internal Improvement*—Messrs. Burt, Ransom, Ely, Poppleton, Thompson.

*Elections*—Messrs. Chittenden, Shoemaker, Arnold, Lathrop, Green.

*Public Lands*—Messrs. Smith, Seymour, Ingalls, Richardson, Hudson.

*Towns and Counties*—Messrs. Ellsworth, Warner, Norton, Traver, Winters.

*Engrossment & Enrollment*—Messrs. Marsh, Griswold, Gulick, Winters, Gregory.

*Supplies and Expenditures*—Messrs. Toll, Parkhurst, Gale.

PETITIONS PRESENTED.

Mr. Mitchell presented the petition of Jabez G. Sutherland for a seat, in the place of A. M. Hoyt, of the county of Saginaw.

Referred to the committee on elections.

Mr. Worden presented the petition of Adeline Buck and 36 others, ladies of Cambria, asking the prohibition of the manufacture of all intoxicating drinks and the trafic therein.

Referred to the committee on State affairs.

Also of S. Hancock and 25 others, of Hillsdale county, with the same prayer.

Same reference.

Mr. Canfield presented the petition of R. P. Eldredge and 84 others, and of Daniel H. Chandler and 14 others, asking for a repeal of the act incorporating the village of Mount Clemens.

Referred to the committee on the organization of towns and counties.

Mr. Winters presented the petition of D. S. Haywood and others, relative to the saline and normal school lands in the township of Saline.

Referred to the committee on public lands.

Mr. Shoemaker : of James Waters, asking for the passage of an act authorizing the sale to him of the south-west quarter of south-east quarter of section sixteen, town eight north of range twelve west ; primary school lands.

Referred to the committee on public lands.

Also, of David L. Waters, asking for a law authorizing the sale to him of a certain parcel of State lands.

Same reference.

Mr. Gulick presented the petition of 72 ladies and 48 infants, and of 75 legal voters of the county of Shiawassee, asking for the passage of a law prohibiting the manufacture of intoxicating beverages and the traffic therein, like the one now in operation in the State of Maine.

Referred to the committee on State affairs.

Mr. Ingalls: of taxable inhabitants of Campbell, Ionia county, for the passage of an act authorizing them to make a new tax roll.

Referred to committee of ways and means.

Also: of inhabitants of the township of Sebewa, in said county, with a like prayer.

Same reference.

Also: of taxable inhabitants of the counties of Barry, Eaton, and Ionia, praying for an act authorizing the appropriation of certain non-assessed taxes for certain roads.

Referred to the committee of ways and means.

Mr. Parkhurst presented the petition of James Barton, contesting the seat of James J. Strang.

Referred to the committee on elections.

Mr. H. Miller presented the petition of 28 voters of the townships of Avon, and Oakland, in Oakland county, in favor of the passage of a law like the Maine law.

Ordered laid on the table.

Mr. Thompson presented the petition of Alanson Ward, and of Arthur C. Donahue, and other citizens of Lansing, asking the passage of a law prohibiting the manufacture and sale of intoxicating drinks and the traffic therein, like the one now in operation in the State of Maine.

Ordered laid on the table.

The select committee, to whom was referred the subject of the arrest of Mr. Strang, the member from Newaygo, by the under sheriff of Wayne county, through their chairman, Mr. Mitchell, submitted the following report:

The select committee, to whom was referred the petition of C. W. Tuttle, asking leave to arrest James J. Strang, a member of this House, and to whom was also referred a resolution in regard to such arrest, beg leave to submit the following report :

Your committee have had the matters referred to them under consideration, and find the facts, so far as they can ascertain them, to be, that in June, 1852, an indictment was found against said member for an alleged rescue of a criminal from the custody of an officer ; that immediately following the indictment, the member was arrested and kept in custody for some time, and was then set at large. That after that, he was almost continually within the jurisdiction of the court where such indictment was pending, doing business in a public capacity, and frequently meeting the sheriff who had previously had him under arrest, and to the knowledge of the proper prosecuting officers. That he was elected to his seat in this House after such indictment was found, and that the charges against him were known to his constituents. That no further effort to arrest him was made until he was about to assume his duties as a member of this House, and after he was entitled to his privileges from arrest as such member. That the writ was put into the hands of the petitioner on Monday last, with directions to make the arrest on the morning of the meeting of the Legislature. That in pursuance of such directions, the arrest was then made, and was afterwards released to obtain the assent of this House in answer to the prayer of the petitioner. That the petitioner did not intend to infringe upon the privileges of this House, but acted under instructions, and, as he supposed, in the discharge of his duty as an officer.

The facts so far as we can learn them, warrant the conclusion that the arrest was not attempted with a view to the furtherance of justice, nor to prevent an escape, but with the intent to accomplish some unworthy purpose, and to deprive the constituency of said member, and this House, of his services. That if there was any propriety in the first instance in this prosecution, the long rest it has been permitted to take, the carelessness and indifference of the officers having the matter in charge during so long a period, forbid the presumption that it is now for the attainment of justice that it should be suddenly revived at this peculiar juncture, when the member is just assuming

the duties which his constituency have assigned him, with a full knowledge of all the facts charged against him.

Your committee, with the full sense that the due administration of justice should be free from all check or restraint, earnestly hope that any attempt to turn the just and necessary process of law into an engine of oppression or persecution will be promptly met and rebuked, and most especially when such an attempt infringes upon any of the privileges of a member of this House. Your committee deem the arrest under consideration to be a violation of right, in contravention of law, and an attempt to revive against a member of this House a prosecution that he long since had good reason to believe dropped and abandoned.

In connection herewith, the committee submit a statement of Mr. Strang, marked "A," and in conclusion, in view of the facts and circumstances presented to them, recommend the adoption of the following resolution as a substitute for the one referred, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted,

WM. T. MITCHELL,  
E. G. MORTON,  
C. C. ELLSWORTH,  
J. SEYMOUR,  
B. P. HUDSON.

*Resolved*, That this House deems the attempted arrest of Jas. J. Strang, one of its members; an infraction of its privileges, and therefore denies the prayer of the petitioner.

The report was accepted and the committee discharged.

The resolution, as reported by the committee, was then adopted.

On motion of Mr. Chittenden,

The Clerk of the House was instructed to transmit a copy of the same to C. W. Tuttle, Under Sheriff of Wayne county.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
Lansing, January 6, 1853. }

*To the Speaker of the House of Representatives:*

SIR : Herewith is transmitted a concurrent resolution relative to the

revision of the joint rules, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Yours &c.,

O. W. MOORE,

*Sec. Senate.*

On motion of Mr. Mitchell,

A suspension of the rules was ordered, and the joint resolution concurred in.

Mr. Ransom offered the following resolution :

*Resolved*, That three thousand copies of the Executive message be printed for the use of the House ; five hundred of which shall be in the French, five hundred in the German, and five hundred in the Dutch languages, and that the Secretary of State be directed to employ competent persons to translate said message into the several languages mentioned ;

*Resolved further*, That five hundred copies of the documents accompanying the message, be printed for the use of the House, and that the Secretary of State procure for like use, two hundred lithographic copies of the profile and plat of the Saut Ste Mary's Canal, also accompanying said message.

Mr. Reno moved to amend so that it should read " fifteen hundred in the German and one thousand in the Dutch language ; " which, after some debate, was not agreed to.

The resolution was then adopted.

Mr. Ransom then offered the following :

*Resolved*, That so much of the Governor's message as relates to finance and taxation, the public debt and a sinking fund, be referred to the committee on ways and means :

So much as relates to a State census, statistical information, the encouragement of emigration to our State, the sale of ardent spirits, the asylum for the deaf, dumb and blind, and for the insane ; to the erection of fire proof buildings for the State offices, and to the board of auditors, to the committee on State affairs :

So much as relates to the courts of justice, judicial proceedings and judicial officers, and to the power of the Legislature to amend existing charters, be referred to the committee on the judiciary :



So much as relates to the construction of a ship canal around the Falls at St. Mary's River, to the committee on internal improvement.

So much as relates to the State expenses, in raising the volunteer regiment for the Mexican war, to the committee on federal relations:

So much as relates to banks and banking, to rail road and mining corporations, to the committee on banks and incorporations:

So much as relates to the swamp lands, and all other lands held by the State for any purpose, to the committee on public lands:

So much as relates to depositing written copies of the journals of the Senate and of this House in the office of the Secretary of State, to the committee on printing:

So much as relates to the University, the Normal School, and all other matters pertaining to education, to the committee on education:

So much as relates to the militia, to the committee on militia:

So much as relates to the State prison, to the committee on State prison.

Adopted.

Mr. Fitch offered the following:

*Resolved*, That the use of the Hall of Representatives be granted to the Baptist Society of the town of Lansing, every Sabbath forenoon, until otherwise ordered.

Adopted.

Mr. Griswold offered the following:

*Resolved*, That the Sergeant-at-Arms be authorized to employ a door-keeper, whose pay shall not exceed one dollar per day.

Lost.

Mr. Winters offered the following:

*Resolved*, That a committee of three be appointed to invite the resident clergymen of Lansing, and any others who may be present, to open the daily sessions of the House with prayer.

After considerable debate,

The resolution was adopted.

Mr. Strang gave notice that he would to-morrow, or at the earliest time when in order, ask leave to introduce

A bill to organize the county of Emmet for judicial purposes; also

A bill to organize the county of Cheboygan for judicial purposes, and

A bill to legalize the existence of the county of Grand Traverse, and to divide the same into townships.

Mr. Parkhurst offered the following resolution, which

On motion of Mr. Ransom,

Was ordered laid on the table.

*Resolved*, That the committees on ways and means, State affairs, judiciary, and banks and incorporations, be authorized to employ each a clerk, when in their judgment such assistance may be needed, at a sum not exceeding three dollars per diem.

Mr. Norton gave notice that he would, at some future day, ask leave to introduce

A bill in regard to the publication of probate and other legal notices.

Mr. Ellsworth gave notice that he would, at some future day, ask leave to introduce,

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm.

On motion of Mr. Benedict,

*Resolved*, That the regular hour of meeting of this House be at 10 o'clock A. M., until otherwise ordered.

Mr. Toll gave notice that he would, on some future day, introduce

A bill to attach the counties of Chippewa and Delta to Mackinaw, for representative and judicial purposes.

Mr. H. Miller gave notice of leave on some future day, to bring in

A bill to amend the charter of the Troy and Rochester Railroad Company.

Mr. Ely gave notice that he should ask leave to-morrow, to bring in

A bill to amend the act entitled "An act to provide for holding terms of the district court in the Upper Peninsula," approved June 28, 1851.

On motion of Mr. Morton,

The House adjourned.

*Lansing, January 8, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum of members found to be present.

The journal was read in part, when,

On motion of Mr. Mitchell,

The further reading thereof was dispensed with.

The Speaker made a further announcement of standing committees, as follows:

*Education*—Messrs. Mitchell, O'Callaghan, Poppleton, Palmer, Ewing.

*Rules and Joint Rules*—Messrs. Haze, Fitch, Benedict, Craven, C. L. Miller.

*State Prison*—Messrs. Goff, Griswold, McWhorter.

*Militia*—Messrs. Adams, Fitzsimmons, Frey.

*State Library*—Messrs. Gulick, J. P. Gleason, Renwick.

*Roads and Bridges*—Messrs. Ely, Traver, Matthews.

*Indian Affairs*—Messrs. Murphy, Reno, Bristol.

*Mines and Minerals*—Messrs. Sherman, Toll, Strang.

The Speaker also announced the appointment of Messrs. Winters, Seymour and Fitch, as a special committee to wait upon the clergy and invite them to open the daily sessions of the House with prayer.

PETITIONS PRESENTED.

Mr. Murphy presented the petition of sundry inhabitants of Allegan county for an extension of the time for the collection and return of taxes in the township of Heath, in said county, for the year 1852.

Referred to the committee of ways and means.

Mr. Palmer: of Michael Gregg and 272 others, praying for the passage of a general railroad law.

Referred to the committee on banks and incorporations.

Mr. Winters: of L. Gore, J. H. Bushnell, John Wagner and 104 others, of the township of LeRoy, Calhoun county, praying for a prohibitory law similar to that in the State of Maine.

Ordered laid on the table.

Mr. Haze: of J. W. Stansbury and 43 others, legal voters of the township of Putnam, and of 38 not legal voters, of the same township, with a like prayer.

Same reference.

Mr. Chittenden, from the committee on elections, submitted the following report:

The committee on elections, to whom was referred the petition of J. G. Sutherland, asking a seat in this House, in the place of Hon. A. M. Hoyt, respectfully beg leave to report:

That on the second day of November last, Mr. Hoyt was in fact, and to all intents and purposes, a postmaster, acting under the authority of the government of the United States, he having control of said office. It was contended before the committee, on the part of Mr. Hoyt, that he had resigned said office before the second day of November, (the day of election,) and therefore he was eligible. The facts, as they appeared before the committee, are these: Mr. Hoyt, on the 30th day of October, forwarded his resignation to the proper department, but it could not have been received by said department, until some days after the election, and was not acted upon until the eleventh day of November, nine days after the election.

Art. 4, sec. 6, of the constitution, declares that "no person holding any office under the United States, (or of this State,) or any county office, except notaries public, officers of the militia, and officers elected by townships, shall be eligible to, or have a seat in either House of the Legislature; and all votes given for any such person shall be void."

The committee have arrived at the conclusion that all votes cast for Mr. Hoyt, while holding the office of postmaster, were absolutely void, and therefore recommend the passage of the following resolution:

*Resolved*, That J. G. Sutherland has been duly elected, and is entitled to a seat in this House, as a Representative from the county of Saginaw.

The report was accepted, and the committee discharged.

On motion of Mr. Chittenden,

The report was adopted.

Mr. Ellsworth moved a reconsideration of the vote adopting the report.

Agreed to.

When, on motion of Mr. Ransom,

The whole subject was ordered laid on the table.

The Speaker announced the following message from the Senate :

SENATE CHAMBER,  
*Lansing, Jan. 7, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned to the House,

A bill to amend section 6, chapter 170, of the revised statutes of 1846,

In which, I am instructed to inform you, the Senate have concurred by a vote of two-thirds of all the Senators elect.

Also, is transmitted a

Joint resolution of a vote of thanks to Captain A. Canfield,

Which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate*

The first named was ordered enrolled.

The second ordered laid over one day under the rule.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ely,

The bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Was taken from the table, and referred to the committee on Internal Improvement

Mr. Ellsworth gave notice that he would, on some future day, ask leave to introduce

A bill to amend an act entitled an act to organize the county of Montcalm, approved March 20, 1850.

Mr. Ransom offered the following resolution :

*Resolved*, That the judiciary committee be instructed to report, as soon as may be, a bill to repeal an act chartering the Adrian Insurance Company, which company has, in the opinion of this House, assumed the exercise of banking powers in palpable violation of the constitution and laws of the State.

Mr. Seymour moved to lay on the table ;

But the motion did not prevail

The resolution was then adopted.

On motion of Mr. Poppleton,

*Resolved*, That a committee of five be appointed by the Chair, to whom the numerous petitions praying for the passage of the Maine Liquor or similar law, be referred.

Mr. Sherman, pursuant to previous notice, asked and obtained leave to introduce

Joint resolutions relative to a grant of lands to aid in constructing a Railroad to the Upper Peninsula.

Laid over one day under the rule.

Mr. Ely, pursuant to previous notice, moved for and obtained leave to introduce

A bill to amend an act entitled "An act to provide for holding terms of the district court in the Upper Peninsula," approved June 28, 1851.

Read a first and second time, and referred to the committee on the judiciary.

Mr. Morton, by unanimous consent, notice not having been given, introduced

A bill to provide for taking the census and statistics of this State.

Mr. Palmer gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Battle Creek.

Mr. Fitch gave notice that on some future day he would ask leave to introduce

A bill to change the time for the annual meeting of the boards of supervisors from the second Monday in October, to the second Monday in November.

On motion of Mr. Warner,

*Resolved*, That the committee on the judiciary be instructed to bring in

A bill to amend title 3, chapter 15 of the revised statutes of 1846, by striking out the words "county judge," in the seventh line of section seven, and inserting the words "circuit court commissioner;" and by striking out the word "judge," in the 2d, 5th, 7th and 9th lines of section 10, and inserting the word "commissioner;" and by striking out the words "and the county judge," in the first line, and

by dropping the letter "s," in the word "judges," in the 9th line of section 12, of said chapter.

Mr. Sherman gave notice that on some future day, he would ask leave to introduce

A bill to legalize the election of county officers for the county of Ontonagon, and to define the boundaries of the same.

Mr. Ellsworth, pursuant to previous notice, asked and obtained leave to introduce

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm.

Read a first and second time and referred to the committee on the organization of towns and counties.

Mr. Seymour offered the following resolution :

*Resolved*, That the clerk of this House be authorized to employ a competent person as an assistant, whenever in his judgement the business of the House shall require it ; such appointment to be confirmed by the House.

Adopted.

Mr. Norton, pursuant to previous notice, asked and obtained leave to introduce

A bill in regard to publication of probate and other legal notices.

Read a first and second time and referred to committee on judiciary.

On motion of Mr. Ransom,

*Resolved*, That the report of the committee on elections, on the contested seat from Saginaw county, be taken from the table and made the special order of the day for Monday next, at 7 o'clock, P. M. ; that the parties be permitted to be heard in argument by their respective counsel ; that the contestant, J. G. Sutherland, be permitted to open the argument and submit the facts, and state the points on which he relies ; that the sitting member, A. M. Hoyt, be permitted to answer in argument, stating also the facts and points on which he claims his seat, and that the contestant be permitted to reply.

On motion,

The House adjourned.

*Lansing, January 10, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

The roll of members was called, and a quorum of members found to be present.

The reading of the journal was,

On motion of Mr. Chittenden,

Dispensed with.

The Speaker announced Messrs. Poppleton, Seymour, Chittenden, Goff and McWhorter, as the select committee on the Maine liquor law.

The Speaker also read the following :

*To the House of Representatives:*

Under the authority of a resolution adopted by the House on the 8th inst., the clerk asks leave respectfully to report, that he has appointed John L. Chipman, of Houghton county, assistant clerk, at such rate of compensation, not exceeding three dollars a day, as the Legislature may by law provide.

On motion of Mr. Fitch,

The appointment was confirmed.

Mr. Richardson presented the petition of Frederick Schilling and 31 others, of Sebawing, in the county of Huron, praying that they may be organized into a township, and attached to Tuscola county.

Referred to the committee on the organization of towns and counties.

Mr. H. Miller : of L. B. Price and 13 others, legal voters of the town of Adison, in the county of Oakland, asking for the enactment of a law prohibiting the manufacture and sale of alcoholic drinks as a beverage, with a proviso submitting it for the acceptance of the electors at the next annual town meeting.

Referred to the select committee on petitions for the Maine law.

Mr. McWhorter : of H. E. Francisco and 40 others, legal voters of the town of Grass Lake. Like prayer.

Same reference.

Mr. Goff : of stockholders of the Medina Academy, praying for an act of incorporation.



Referred to the committee on banks and incorporations.

Mr. Jones : of L. H. Ion and 37 others, legal voters of Oneida, Eaton county, and of 28 inhabitants of Oneida, not legal voters, asking the passage of a law like the one known as the Maine law.

Referred to the select committee on petitions for the Maine law.

The Speaker : of Margaret Jacobus and 48 other ladies of the town of Macon ; of Miss Sarah M. Howell and 8 other ladies ; of Lydia Howell and 40 other ladies, of the town of Ridgeway, and of Caroline Gridley and 14 other ladies, all asking for the passage of the Maine law.

Referred to select committee on that subject.

Also: of R. R. Richards and 52 others citizens of the township of Tecumseh; of Sanford House and 40 others, citizens of the township of Ridgeway; of Samuel Chadwick and 60 others, citizens of the township of Tecumseh; of I. F. Davidson and 68 other citizens of the township of Tecumseh: of A. B. Green and 65 others, citizens of the township of Tecumseh; of Peter Davidson and 68 other citizens of the township of Tecumseh; of I. S. Hamilton and 11 others, citizens of the township of Tecumseh; of R. S. Hall and 62 other citizens of the township of Raisin; of C. Howell and 15 other citizens of the township of Macon; of Simeon Davidson and 7 other citizens of the township of Macon; of Joseph Howell and 38 other citizens of the township of Macon; same prayer.

Same reference.

Mr. Seymour: of George N. Stoddard and other legal voters of the town of Lansing; of 54 inhabitants of Grand Blanc, Genesee county; of 138 legal voters of the town of Genesee, Genesee county; of 25 inhabitants of the town of Mundy, in said county; of 202 inhabitants of Genesee, in said county; of 214 persons of the town of Flint, same county; of 36 inhabitants of Forest, same county; of 19 voters of the town of Mundy; of 61 legal voters of the town of Grand Blanc; of 84 voters of the town of Flushing; of 170 ladies in the town of Flint, and of 231 legal voters of said town; all with like prayer.

Same reference.

The Speaker presented the memorial of the Board of Regents of the University of Michigan, asking payment to the University fund of certain interest moneys.

Referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend section 6, chapter 170 of the R. S. of 1846.

Mr. Chittenden, from committee on elections, submitted the following report from the majority of said committee:

The committee to whom was referred the petition of James Barton, contesting the seat of James J. Strang, beg leave to submit the following report:

It appears from facts admitted, and evidence adduced before the committee, that the vote, as canvassed for representative in Newaygo and Oceana counties proper, was as follows, viz:

|                          |    |
|--------------------------|----|
| For James Barton .....   | 52 |
| Harvey W. Henry .....    | 45 |
| William S. Utley .....   | 49 |
| Abram S. Wadsworth ..... | 49 |
| W. S. Utley .....        | 2  |
| H. W. Henry .....        | 1  |
| Sidney Utley .....       | 1  |
| Scattering .....         | 2  |

And that the township of Peaine, usually called Beaver Islands, in Lake Michigan, cast 165 votes for James J. Strang for representative, the return of which votes was made to the county seat of Mackinac county, and from thence certified to the canvassers of Newaygo district, and were by them received and canvassed; and thereupon Mr. Strang was declared duly elected, and the certificate of election awarded to him.

Mr. Taylor, on behalf of contestant, and Mr. Strang, in person, appeared before the committee, and submitted their points of argument in the case.

Contestant claims first: That the township of Peaine (Beaver Islands) forms no part of the territory attached to the counties of Newaygo and Oceana, for representative purposes, under act No. 167 of 1851, being "an act to apportion anew the representatives among the several counties and districts of this State."

2d: That by article 19, section 1, of the revised constitution, the township of Peaine (Beaver Islands) is included in the separate judicial district denominated the Upper Peninsula; and by section four of the same article, said judicial district is entitled to three Representatives, and no more, under the apportionment of 1851; and so much of any act as increases the representation of that judicial district beyond three members of the House of Representatives is absolutely void.

3d. That James Barton received the highest number of votes for Representative in said district, and is entitled to the seat now occupied by Mr. Strang.

Mr. Strang controverts these propositions and claims that the township of Peaine (Beaver Islands) is an integral part of the county of Emmet; which county, by the apportionment act of 1851, is included in the Newaygo and Ocsana district.

2d. That the Legislature had full power to detach any portion of the district called the Upper Peninsula, and attach it to any other district for Representative purposes, and the act of 1851, so doing, does not conflict with sections 1 and 4 of article 19 of the constitution.

3d. That he (Strang) having received the highest number of votes in said district is entitled to retain the seat he now holds.

In regard to the first point, the undersigned, a majority of the committee, do not find any law which expressly attaches Beaver Island to the county of Emmet, or which includes or defines them as included within the boundaries of Emmet county proper, and they cannot come to the conclusion that they are so made a part of that county by implication.

In regard to the second point, the undersigned are clearly of the opinion that Beaver Island was included by section 1, article 19 of the revised constitution in the judicial district described as the Upper Peninsula, and that the plain meaning of section 4, of the same article, is that such judicial district should, under the apportionment of 1851, be entitled to but three representatives until another enumeration should show that their increase in population entitle them to more.

By the census of 1840, the population of that portion of the State denominated the Upper Peninsula is as follows:

|                   |            |
|-------------------|------------|
| Chippewa,.....    | 898        |
| Houghton, .....   | 708        |
| Mackinaw, .....   | 3597       |
| Marquette, .....  | 136        |
| Ontonagon,.....   | 389        |
| Schoolcraft,..... | 16         |
| Total, .....      | <hr/> 5744 |

The ratio fixed by the apportionment act of 1851, is for each Representative a population of 6200, so the idea is preposterous, that there was such an increase of population contemplated by the constitution as to entitle that district to more than three Representatives.

It is therefore the opinion of your committee, that so much of the apportionment act as attaches any portion of the judicial district to other districts for representative purposes is void.

The undersigned consequently conclude that James J. Strang is not the legally elected Representative for the Newaygo district ; and as it appears by the returns, that James Barton, the contestant, received the highest number of votes cast in said district, if the Beaver Islands are excluded, he is the legally elected Representative for that district, and is justly entitled to the seat now occupied by James J. Strang. and the undersigned recommend the passage of the following resolution :

*Resolved*, That James Barton is entitled to a seat in this house for the Newaygo and Oceana district.

D. W. SHOEMAKER,  
WM. P. ARNOLD,  
NELSON GREEN.

Also, the following minority report :

A minority of the committee on elections, to whom was referred the petition of James Barton, Esq., claiming the seat occupied by the Hon. James J. Strang, submit the following report :

That from the papers referred to the committee, it appears that the petitioner received fifty-four votes, and that James J. Strang, Esq., received one hundred and sixty-five votes, and that these votes were cast in the district as organized by the act entitled an act to apportion anew the representatives among the several counties and districts of this State, approved January 20, 1851.

It is contended on the behalf of the petition, that this act is void so far as relates to Emmett and twenty-one other counties embraced in said representative district, in consequence of the provisions contained in the first and fourth sections of article nineteen of the revised constitution.

The committee are of the opinion that the Beaver Islands are embraced within the boundaries of the county of Emmett, by virtue of the acts of 1840 and 1843, organizing Tonadegonia county, and changing its name to Emmett county, (Session Laws, 1840, 199, section 28 ; also, Laws of 1843, 146, section 15.)

The committee are also of the opinion that the constitutional provisions above referred to were intended only to embrace the Upper Peninsula, and the contiguous Islands, and they regard the act apportioning the representatives among the counties and districts of the State, as a legislative construction, which should not be departed from or disturbed in a merely doubtful case, or upon slight grounds.

The committee therefore recommend the adoption of the following resolution :

*Resolved*, That the petitioner have leave to withdraw his petition.

Signed,

WM. F. CHITTENDEN,

H. N. LATHROP.

The reports were accepted and the committee discharged.

Mr. Parkhurst moved that the reports be laid on the table and ordered printed ;

Pending the question on which,

On motion of Mr. Marsh,

The same were made the special order of the day, 2 o'clock to-morrow.

Mr. Winters from the committee appointed to invite the clergy to open the sessions of the House with prayer, submitted the following report :

The committee appointed to invite the resident clergy of Lansing to open the daily sessions of this House with prayer, would respectfully report that they have discharged the duties assigned them, and that the Rev. Messrs. Atterbury, Chatfield, Dayfoot and Knickerbocker, have accepted the invitation and will be in attendance alternately, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

The Speaker announced the following message from the Governor:

EXECUTIVE OFFICE,  
Lansing, January 10, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section six, chapter one hundred and seventy of the revised statutes of 1846.

R. McCLELLAND.

Also the following :

EXECUTIVE OFFICE, }  
Lansing, January 8, 1853. }

*To the Senate and House of Representatives:*

I have received, during the past year, resolutions from the States of Connecticut and New Jersey, in relation to the "Compromise Measures;" from the State of Indiana "on the subject of the Slave Trade, and for the purpose of Colonization;" and from the State of Pennsylvania "in reference to the establishment of a Navy Yard, Depot and Dry Dock on the Lake Frontier," all of which I lay before you for consideration.

R. McCLELLAND.

Referred to committee on federal relations.

Also the following communication from the State Treasurer :

STATE TREASURER'S OFFICE, }  
Lansing, January 8, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I have the honor to transmit herewith my annual report for the fiscal year, ending Nov. 30, 1852.

Very respectfully,

Yours, &c.,

B. C. WHITTEMORE,

*State Treasurer.*

Referred to the committee of ways and means.

Also the following message from the Senate:

SENATE CHAMBER, }  
Lansing, January 8, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch;

Which I am instructed to inform you the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec. Senate.*

The bill was read a first and second time, and referred to committee on judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Fitch,

*Resolved*, That the use of this Hall be and is hereby tendered to the Ladies of Lansing on Thursday evening next, for the purpose of holding their annual fair.

Mr. O'Callaghan gave notice, under the rule, that at some future day he would ask leave to introduce

A bill entitled a bill supplementary to the act incorporating the city of Detroit.

Mr. Burt offered the following resolution:

*Resolved*, (the Senate concurring,) That the committee of the Senate to whom was referred the subject of constructing a ship canal at the Falls of St. Mary's River, and the committee on internal improvement of this House, be a joint committee to agree upon a bill for the construction of the said canal;

Which, under a suspension of the rule requiring that it lie over one day, was adopted by the House.

Mr. Reno gave notice that at some future day he should ask leave to introduce

A bill to amend section 1, chapter 48 of R. S. of 1846, relative to fire departments in cities and villages.

Mr. Marsh offered the following resolution:

*Resolved*, That in the discussion of the parties from the Newaygo district, Mr. Barton be permitted to open the argument and submit the facts, and state the points on which he relies; that the sitting member, Mr. J. J. Strang, be permitted to answer in argument, sta-

ting also the facts and points on which he claims his seat, and that the contestant be permitted to reply.

*Adopted.*

Mr. Ewing offered the following resolution:

*Whereas*, It appears that Mr. Hoyt, of the county of Saginaw, was duly returned of record as entitled to his seat as member of this House for the present constitutional term;

*And whereas*, A Mr. Sutherland of said county appears on this floor as contestant for said seat, claiming it on the plea that said Hoyt, who held the office of postmaster at East Saginaw, and who resigned said office previous to the late election, but who did not receive his papers accepting said resignation and giving him notice of the appointment of his successor, until some days subsequent to said election;

*And whereas*, It is reported that there are other gentlemen occupying seats on this floor, against whose constitutional claims to seats the same objection will hold; therefore,

*Resolved*, That a committee of three be appointed to enquire if any, how many and who, of the members of this House held the office of post master previous to the late election, and as to the time and manner of their resignation of said office; and whether said resignation was accepted and their successors appointed previous to the second day of November last, that being the day on which said election was held.

Which, on motion of Mr. Poppleton,

Was ordered laid on the table.

On motion of Mr. Fitzsimmons,

*Resolved*, That the committee on supplies be authorized to furnish to the reporter of the House, such amount of stationery as may be necessary for that office.

On motion of Mr. Morton,

*Resolved*, That the messengers of this House place upon the table of each member, every morning of the session, an equal number of the daily journals heretofore ordered.

Mr. Marsh offered the following resolution:

*Resolved*, That the Speaker of the House of Representatives be authorized to appoint two messengers in addition to the four we now have. Lost.



On motion of Mr. Seymour,

*Resolved*, That the committee on State affairs be discharged from the consideration of the petitions for the passage of the Maine liquor law, referred to them, and that they be referred to the select committee appointed on that subject.

Mr. Ely gave notice that at some future day he should ask leave to introduce

A bill entitled a bill relative to the organization of the county of Marquette ; also,

A bill to provide for a general rail road law.

On motion of Mr. Mitchell,

The several petitions relating to the Maine law which were ordered laid on the table, were taken therefrom, and were referred to the select committee.

Mr. Thompson gave notice that he would on some future day ask leave to introduce

A bill to incorporate the Adrian Quarterly Meeting Manual Labor Boarding School.

Mr. Parkhurst gave notice that he would at some future day, ask leave to introduce

A bill to amend sections one, two and three, of chapter ninety-five of the revised statutes of eighteen hundred and forty-six, approved April eight, eighteen hundred and fifty-one, and for conferring certain powers upon the circuit court commissioners elected at the late election.

On motion of Mr. Warner,

*Resolved*, That the committee on the judiciary be instructed to inquire into the propriety of bringing in

A bill to amend chapter 131, title 24 of the revised statutes of 1846, by adding the following to section 8 of said chapter :

“ But such jury shall certify by inquisition, that if the benefits of such owner, in having such ditch or ditches opened, be equal to the benefits of the applicant, or if not equal, the amount of benefit, if any, that will arise to such owner thereby, they shall designate the portion of such ditch or ditches to be opened by such owner, and the length of time necessary thereto, which shall not be less than thirty days from the time of making such designation. If such owner shall

refuse or neglect to open such designated portion of such ditch or ditches within thirty days next ensuing the time allowed by such jury for opening the same, it shall be lawful for such applicant to enter the premises of such owner, where such ditch or ditches are to be opened, and to open and construct the same, according to the specification of such jury, and to recover from such owner, the just amount of damages sustained by him, in opening and constructing such designated portion of such ditch or ditches, including one-half the original expense of such jury, together with the legal costs of suit, in an action of assumpsit, before any justice of the peace of the county where such ditch or ditches are to be opened."

Mr. C. L. Miller gave notice that he would on some future day ask leave to introduce a bill to amend title 12, chapter 60, of the revised statutes of 1846, relative to the price of University lands.

Mr. Palmer, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled

"An act to incorporate the village of Battle Creek," approved April 2, 1850, and also an act amendatory thereof, approved April 4, 1851.

Read a first and second time and referred to committee on banks and incorporations.

Mr. Strang, pursuant to previous notice, asked and obtained leave to introduce a bill to organize the county of Emmet.

Read a first and second time and referred to committee on the organization of towns and counties.

Also a bill to legalize the existence of the county of Grand Traverse and to divide the same into townships.

Read a first and second time, when

Mr. Strang moved that it be referred to the judiciary committee with instructions to enquire into the expediency of adding a section to confirm the official acts of the officers of the county of Grand Traverse, and the township of Omeena.

Which motion prevailed.

#### UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up the joint resolution of a vote of thanks to Captain A. Canfield, and unanimously adopted the same.

The House also took up under the same order, joint resolution relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan.

To which Mr. Mitchell offered the following amendment :

Amend by adding at the end of the first resolution the words "and to all other railroad projects of similar importance."

Pending the question on which,

On motion of Mr. Chittenden,

The whole subject was ordered laid on the table.

On motion of Mr. Ransom,

*Resolved*, That this House will to-morrow at 11 o'clock before noon, proceed to nominate a person for the office of Senator in Congress for six years, after the third day of March next, in place of Alpheus Felch, whose term of office will then expire.

On motion of Mr. Marsh,

The House adjourned to 7 o'clock this P. M.

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*Evening Session.*

7 o'clock,

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and a quorum of members answered to their names.

The House then went into consideration of the special order of the day, being the report of the committee on elections, on the contested seat of the county of Saginaw.

Jabes G. Sutherland, the contestant, appeared in person, and after a statement of the facts and points on which he relied, was followed by C. P. Bush, in argument, on behalf of the sitting member, Alfred M. Hoyt, when the argument was closed by Geo. W. Peck, on behalf of the contestant.

After some remarks by Messrs. Gale and Ely, pending the question on the resolution reported by the committee,

On motion of Mr. Ransom,

The House adjourned.

*Lansing, January 11, 1858.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbocker.

The roll was called, and the members all present.

The journal was corrected and approved; the reading thereof having been dispensed with on motion of Mr. Morton.

#### PETITIONS.

Mr. Gregory presented the petitions of Geo. W. Fox and 19 others; of A. Hiscum and 9 others; of Wm. H. Gregory and 14 others, legal voters of the township of Plymouth, all praying for the passage of a law prohibiting the manufacture of all intoxicating beverages and the traffic therein.

Referred to select committee on that subject.

Mr. Ransom: of the trustees of the Kalamazoo Literary Institute for an amendment to their charter.

Referred to committee on education.

Mr. Thompson: of Joseph Gibbons and others of the society of Friends, for an act of incorporation to hold real estate.

On motion,

Referred to committee on banks and incorporations.

Mr. Miller: of a number of women and children of the towns of Avon and Oakland, asking the enactment of a law like the Maine liquor law, now in operation in said State.

Referred to select committee on that subject.

#### REPORTS OF STANDING COMMITTEES.

Mr. Morton, from committee of ways and means, submitted the following report:

The committee of ways and means to whom was referred so much of the Governor's message as relates to finance and taxation, have had the same under consideration, and report:

1st. A bill to provide for a sinking fund; and,

2d. A bill to provide for the expenses of the State Government.

The committee recommend their passage, and ask to be discharged from their further consideration.

The report was accepted and the committee discharged.

Said bills were severally read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, to whom was referred

A bill to amend an act to incorporate the village of Battle Creek, approved April 4, 1850, and also an act amendatory thereto, approved April 4 1851.

Reported that they had had the same under consideration, and had instructed him as their chairman, to report the same back to the House and recommend its passage, and ask to be discharged from the further consideration of the subject.

Which was accepted and the committee discharged,

And the bill referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to legalize the existence of the county of Grand Traverse, and to divide the same into townships,

With certain instructions, beg leave to report that they have had the bill referred to them, with the instructions in regard thereto, under consideration, and respectfully report the bill back to the House, and recommend that it be referred to the committee on towns and counties, and ask to be discharged therefrom.

To meet the exigency contemplated by the instructions, your committee would not recommend the passage of any law legalizing the election of officers or their acts as such in the special case referred to, but have prepared a bill to amend the statutes in regard to the holding of special township meetings in certain cases, which they think will remedy the evil referred to, and recommend its passage, and ask to be discharged therefrom.

The report was accepted and the committee discharged.

The first named bill was referred to the committee on the organization of towns and counties, in accordance with the recommendation of the committee.

The second named was read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. Ellsworth, from the committee on the organization of towns and counties, presented the following report:

The committee on towns and counties, to whom was referred

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm,

Have had the same under consideration, and see no reason why the bill should not pass. They therefore report the same back to the House, and recommend its passage.

The report was accepted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

Also, by the same, from the same committee:

The committee on towns and counties, to whom was referred the petition of many residents of the village of Mt. Clemens, Macomb county, stating that after having tried for two years the act of incorporation of said village, and fairly testing the benefits, as well as the disadvantages attending a village government, they find that no material benefits are derived from such incorporation, and therefore pray for its repeal.

Your committee, therefore, in view of the facts aforesaid, would recommend that the prayer of the petitioners be granted.

The report was accepted and the committee discharged.

Mr. Ellsworth, also submitted the following report, from the committee on judiciary:

The committee on judiciary, to whom the accompanying bill was referred, have considered the same, and report it back to the House, recommend its passage, and beg leave to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill entitled

A bill to provide for the publication of probate, legal, and other notices,

Was referred to committee of the whole and placed on the general order.

#### COMMUNICATIONS.

The following communication was announced from the Attorney General:

ATTORNEY GENERAL'S OFFICE, }  
Lansing, January 10, 1853. }

To the Hon. G. G. QUACKENBOSCH,

*Speaker of the House of Representatives:*

SIR—I have the honor to transmit herewith to the Legislature, the annual report of this office.

I am sir, very respectfully,

Your ob't serv't,

WILLIAM HALE,

*Attorney General.*

Mr. Chittenden moved that the report be laid on the table, and that 500 copies of it be printed for the use of the House.

Agreed to.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ely asked leave, pursuant to previous notice, to introduce

A bill relative to the organization of the county of Marquette, in the Upper Peninsula.

Leave being granted, the bill was read a first and second time, and referred to the committee on the judiciary.

Mr. Ellsworth, pursuant to previous notice, asked leave to introduce a bill to amend an act entitled an act to organize the county of Montcalm.

Leave being granted, the bill was read a first and second time, when

On motion of Mr. Ellsworth,

It was referred to the committee on the judiciary.

Mr. Irwin offered the following resolution:

*Resolved*, That the committee on towns and counties be instructed to inquire into the propriety of bringing in a bill to abolish the office of County Auditors, in the county of Wayne, and to transfer the duties of said office of County Auditors to that of the Board of Supervisors of said county of Wayne, with the proviso that the same be submitted to the people at the next annual township meetings of said county of Wayne;

Which was adopted.

Mr. Chittenden offered the following resolution:

*Resolved*, That the committee on State Affairs be requested to bring in a bill authorizing the State Auditors to purchase a suitable

fire engine, with accompanying apparatus, for the use and protection of property at the State Capitol; *Provided*, That a suitable company be organized before such purchase shall be made.

Adopted.

The following message was then announced from the Senate:

SENATE CHAMBER, }  
Lansing, Jan. 11, 1853. }

*To the Speaker of the House of Rep's:*

SIR—Herewith is transmitted

A bill to provide for the payment of the members and officers and incidental expenses of the legislature, and

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also, over a tract of land at Eagle River, Lake Superior,

Which I am instructed to inform the House the Senate have passed, and ordered each to take immediate effect by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The first bill was read a first and second time, and referred to the committee of ways and means.

The second bill was also read a first and second time, and referred to the committee on State affairs.

Mr. Morton offered the following resolution:

*Resolved*, That leave be granted to withdraw from the Clerk's office, the petition, papers and documents relating to the claim of Ellis & Briggs, for State printing.

Adopted.

Mr. Benedict offered the following resolution:

*Resolved*, That the committee on supplies be authorized to furnish to the chairman of each of the standing committees, and to the chairman of the special committee in regard to the Maine liquor law, all necessary stationery for the use of such committees.

Adopted.



Mr. Bonine gave notice that he would, at some future day, ask leave to introduce

A bill to amend section 18, of chapter 25, title 6, of the revised statutes of 1846.

Mr. Reno, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chapter 48, section 1, title 9, of the revised statutes of 1846, relative to fire departments in cities and villages;

Which was read a first and second time, and referred to the committee on the judiciary.

Mr. Fitch asked and obtained the unanimous consent of the House to introduce

A bill to amend section 1 of act No. 156, of the session laws of 1851, defining the powers and duties of the boards of supervisors of the several counties, and for other purposes.

Read first and second times, and referred to committee on judiciary.

Mr. Fitzsimmons offered the following resolution:

*Resolved*, That the committee on judiciary be requested to bring in a bill to abolish all fees for services of judge of probate, and in lieu thereof that they be paid a salary, to be fixed by the board of supervisors of their respective counties.

Adopted.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend an act to amend sections 1, 2, and 3, of chapter 95 of the revised statutes of 1846, approved April 8, 1851 ;

Which was read a first and second time and referred to the committee on judiciary.

Mr. Ransom, from the judiciary committee, asked and obtained the unanimous consent of the House, to report back from said committee,

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch, recommending the passage thereof, and asked to be discharged from its further consideration.

The report was accepted, and the committee discharged and the bill referred to committee of the whole and placed on the general order.

Mr. Craven presented the following resolution :

*Resolved,* That the committee on towns and counties be instructed to bring in a bill to define the law relative to the number of commissioners of highways in the several townships in this State.

Adopted.

The Speaker announced that the hour of 11 o'clock had arrived, at which the House had agreed to go into the nomination of Senator in Congress.

A committee from the Senate, consisting of Senators Griswold and Dickey, were announced, who reported that the Senate had made a nomination for the office of Senator in Congress, and were ready to meet the House in joint convention, to compare nominations.

The roll of the House of Representatives was then called, and the Representatives severally rose in their places and voted for Senator in Congress, as follows :

FOR CHARLES E. STUART :

|                  |              |                |
|------------------|--------------|----------------|
| Mr. Adams,       | Mr. Hand,    | Mr. Poppleton, |
| Arnold,          | Haze,        | Ransom,        |
| Bailey,          | Ingalls,     | Reno,          |
| Benedict,        | Irwin,       | Richardson,    |
| Burt,            | Jennison,    | Rider,         |
| Canfield,        | Jones,       | Seymour,       |
| Chittenden,      | Lathrop,     | Sheldon,       |
| Davis,           | McDougall,   | Sherman,       |
| Ellsworth,       | Marsh,       | Shoemaker,     |
| Ely,             | H. Miller,   | Smith,         |
| Fitch,           | Mitchell,    | Strang,        |
| Fitzsimmons,     | Morton,      | Toll,          |
| James Gleason,   | Murphy,      | Warner,        |
| John P. Gleason, | Norton,      | Winters,       |
| Goff,            | O'Callaghan, | Worden,        |
| Griswold,        | Palmer,      | Speaker,       |
| Gulick,          | Parkburst,   |                |

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FOR ZACHARIAH CHANDLER :

|            |           |                |
|------------|-----------|----------------|
| Mr. Bates, | Mr. Gale, | Mr. McWhorter, |
| Bristol,   | Gregory,  | Mathews,       |
| Bonine,    | Green,    | C. L. Miller,  |
| Chapel,    | Haight,   | Renwick,       |
| Craven,    | Hoyt,     | Root,          |
| Ewing,     | Hudson,   | Thompson,      |
| Frey,      | Lovell,   | Winters,       |

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FOR HOVEY K. CLARKE:

Mr. Traver,

1

The Speaker then announced that Charles E. Stuart, having received a majority of all the votes, was duly nominated by the House for Senator in Congress.

Mr. Ransom moved that a committee of two be appointed to wait upon the Senate, and inform that body that the House of Representatives had made its nomination for Senator in Congress, and were now in readiness to meet the Senate in joint convention to compare nominations.

Agreed to.

The Speaker appointed Messrs. Ransom and Ewing such committee, who, after a short absence, returned and reported that the committee had discharged the duty assigned them, and that the Senate would forthwith meet the House of Representatives in Joint Convention, in the Hall of the House of Representatives.

The Senate was soon thereafter announced, and the Senators conducted to seats provided for them.

#### PROCEEDINGS IN JOINT CONVENTION.

The Convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and all the Senators answered to their names excepting Senator Hixson.

The roll of the House of Representatives was called by the Clerk thereof, and the members were all present.

The President of the Senate announced that the two Houses had met in joint convention to compare nominations for the office of Senator in Congress, and that the Senate had nominated Charles E. Stuart, for that office.

The Speaker of the House of Representatives announced that Charles E. Stuart had been nominated by the House of Representatives, for the office of Senator in Congress.

Whereupon, on motion of Senator Gould, it was

*Resolved by the Senate and House of Representatives of the State of Michigan, in Joint Convention assembled, That Charles E. Stuart be and he is declared duly elected to the office of Senator in Congress for this State, for the term of six years, commencing on the 4th day of March next.*

When, on motion of Senator Gould,  
The Joint Convention adjourned without day.

O. W. MOORE,

*Sec'y Senate.*

D. P. BUSHNELL,

*Clerk House of Rep's.*

*Sec'ys of Joint Convention.*

After the Senate had retired,

The Speaker called the House to order, and announced that the two Houses, in joint convention, had elected Charles E. Stuart to the office of Senator in Congress for the term of six years, commencing on the fourth day of March next.

Motions, resolutions and notices being still in order,

Mr. Mitchell moved for a suspension of the rule requiring previous notice to be given to introduce a bill.

Unanimous consent being given,

Mr. Mitchell introduced a bill to amend section 5, chapter 50, of the revised statutes of 1846, relative to unauthorized banking.

Read twice and referred to committee on banks and incorporations.

Mr. Poppleton offered the following resolution:

*Resolved*, That the report of the committee on elections, relative to the contested seat of the sitting member from the county of Saginaw, together with all the evidence submitted to the House, be referred to the committee on the judiciary, and that such committee be instructed to report whether it is competent for the House to receive evidence impeaching the regularity of the election, and the legality of the votes given at the polls; and whether, in their opinion, the affidavits submitted to the House are entitled to be read, and whether they show a greater number of illegal votes given for the sitting member than his plurality; whether fraud and irregularity is so proved as to effect his election; and whether, under the proof submitted, such sitting member was postmaster at the time of the election, and that such committee report with all convenient speed.

Mr. Ewing moved to lay on the table.

Lost, as follows:

YEAS.

Mr. Adams,  
Bailey,

Mr. Frey,  
Gregory,

Mr. Rider,  
Root,

Benedict,  
Bristol,  
Bonine,  
Craven,  
Ewing,

Green,  
Haight,  
C. L. Miller,  
Ransom,  
Renwick,

Seymour,  
Sheldon,  
Shoemaker,  
Thompson,

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## NAYS.

Mr. Arnold,  
Bates,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Gale,  
J. P. Gleason,  
Goff,  
Griswold,  
Gulick,

Mr. Hand,  
Haze,  
Hudson,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Reno,  
Richardson,  
Sherman,  
Smith,  
Strang,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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Mr. Gale moved to amend the resolution, so as to empower the committee to send for persons and papers.

Pending which,

Mr. Poppleton asked and obtained leave to withdraw the resolution, and submit the following in lieu thereof:

*Resolved.* That the committee on the judiciary be requested to report to this House their opinion, as to whether, under the proofs submitted to this House, Mr. Hoyt was, at the time of his election, a post-master at Buena Vista, and whether or not his resignation had then taken effect.

Mr. Gulick offered the following as a substitute :

*Resolved,* That the reports and papers relative to the contested seat of Saginaw county, be referred to the committee on the judiciary, for their opinion on the matter, in all legal points involved in the question of resignation of the setting member, as post master.

Mr. Ewing moved to refer the matter to the Attorney General.

Pending which,

On motion of Mr. Seymour,

The whole subject was ordered laid on the table.

When, on motion of Mr. Poppleton,  
The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum of members found to be present.

The House then took up for consideration the special order of the day, being the contested election case of Newaygo, and the counties thereto attached.

Charles H. Taylor appeared on behalf of the contestant, James Barton, and stated the points and facts upon which contestant relied, and after arguing the case at length, was followed in argument by James J. Strang, the sitting member, who gave way at 5 o'clock to a motion to adjourn.

Mr. Mitchell moved that the subject be made the special order of the day at 2 o'clock to-morrow.

Lost.

Mr. Traver moved that the House adjourn till 7 o'clock this evening.

Mr. Chittenden moved to amend by striking out 7 and inserting 10.

Lost.

Mr. Chittenden then moved to strike out 7 and insert 9.

Lost.

Mr. Chittenden then moved that the House do now adjourn.

The question was then taken on the motion of Mr. Traver, and the same prevailed.

---

*Evening Session.*

7 o'clock.

The House met, and was called to order by the Speaker.

The roll was called, and a quorum of members was found to be present.

Mr. Strang then resumed his argument, which he continued until half past 9 o'clock, when he suspended his remarks for a motion to adjourn.

Mr. Mitchell moved a call of the House.

Mr. Ely moved that the House adjourn.

Lost.

The question was then taken on the motion of Mr. Mitchell, and the same prevailed.

The roll was called, and all the members answered to their names excepting Messrs. Chapel, Chittenden, Gale, John P. Gleason, Hudson, Mathews, Parkhurst and Seymour.

On motion of Mr. Poppleton,

All further proceedings under the call were dispensed with.

Mr. Ely moved that the subject before the House be made the special order for to-morrow evening, at 7 o'clock.

Agreed to.

On motion of Mr. Ely,

The House adjourned.

---

*Lansing, January 12, 1853.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The roll was called; members all present.

The journal was corrected and approved, the reading thereof,

On motion of Mr. Chittenden,

Having been dispensed with.

#### PETITIONS.

Mr. Chittenden presented the petitions of B. F. Robinson and others; of Alanson Royce and others, legal voters; of F. A. Fox and others; of Wm. B. Everts and others; and of S. G. Butts and others, not legal voters, all of Ingham county, and all asking the passage of the Maine liquor law.

Referred to the select committee.

Mr. Root presented the petitions of W. Hudgez; of J. B. Osborn and a hundred and forty-four others; of Moses Rumsey, Samuel S. Camp, and 133 others; of E. W. Hutchinson, M. H. Hawley, and

179 others; and of Harriet Clark, Martha Draper, and 206 others, all asking the passage of the Maine law.

Referred to the select committee.

Mr. Griswold: of Jacob Messenger and 128 others, legal voters of Niles, and of 59 not legal voters, praying for the passage of a law like the Maine law.

Same reference.

Mr. Fitzsimmons: of Henry Ferris and 60 others, legal voters of the township of Reading, and of Mary Rysing and 59 others, not legal voters, same prayer.

Like reference.

Mr. Bailey: of Simon Bostwick and 18 others, and of Hannah Fox and 25 others, same prayer.

Same reference.

Mr. Gale: of 96 legal voters; also of 195 inhabitants, not voters, of the town of Atlas, Genesee county, same prayer.

Same reference.

Mr. Gregory: of Melissa Lendrum and 163 others, of the township of Plymouth, Wayne county, same prayer.

Same reference.

#### REPORTS OF COMMITTEES.

Mr. Smith, from the committee on public lands, submitted the following report:

The committee to whom was referred the petition of James Waters, asking for the Legislature to pass an act authorizing the sale to him of the south west one-fourth of south east one-fourth of section sixteen, town six north of range twelve west, primary school lands, have had the same under consideration, and believing that no loss could accrue to said fund, by granting the prayer of said petitioner, your committee report the following bill, and recommend its passage.

The report was accepted and the committee discharged.

The bill was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred the bill to amend section 5, chapter 50 of the revised statutes of



1846, relative to unauthorized banking, have had the same under consideration, and have instructed me, as their chairman, to report the same back and recommend its passage.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Ransom, from the judiciary committee, submitted the following report:

In compliance with a resolution of this House, adopted January 8, instructing the judiciary committee to report, as soon as may be,

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company,

Your committee report the accompanying bill, and recommend its passage.

The report was accepted and the committee discharged, the bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred certain portions of the Governor's message, report

A bill to provide for filing certain reports in the Auditor General's office, and for other purposes.

The committee recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Also the following:

The committee of ways and means report without action, Senate bill No. 3, to provide for the payment of the members and officers and incidental expenses of the legislature, recommend its passage and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, when Mr. Morton offered the following amendment:

Insert in 8th line, section 1, after the word "Senate," including three dollars to Diodate Hubbard, for one day's service as Sergeant-at-Arms *pro tem.* of the Senate."

**Adopted.**

**On motion of Mr. Morton,**

A suspension of the rules was ordered to put the bill upon its third reading,

When it was so read and passed by the following vote:

**YEAS:**

• Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Gregory,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Hase,  
Hoyt,  
Hudson,  
Ingals,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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**NAYS:**

Mr. Goff,

1

**On motion of Mr. Mitchell,**

It was then ordered by a vote of two-thirds of all the members elected that the same should take effect immediately.

Mr. H. Miller, from the same committee, submitted the following report :

The committee of ways and means to whom was referred certain petitions of the inhabitants of the towns of Campbell and Sebawa, in Ionia county, and also the petition of citizens of Heath, in the county of Allegan, asking the enactment of a bill to extend the time for the collection of taxes in said towns, have had the same under consideration, and herewith report bills in favor of granting the prayer of the

petitioners, and recommend their passage, and ask to be discharged from their further consideration.

The report was accepted, the committee discharged, and the bills reported by the committee, entitled :

A bill to extend the time for the collection and return of taxes in the towns of Campbell and Sebawa, in the county of Ionia, for the year 1852, and for other purposes ; and

A bill to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852,

Were severally read a first and second time, when

On motion of Mr. Miller,

A suspension of the rules was ordered, to put them to a third reading now, and they were so read and passed, the first named by the following vote :

#### YEAS :

|                |            |              |
|----------------|------------|--------------|
| Mr. Adams,     | Mr. Goff,  | Mr. Murphy,  |
| Arnold,        | Green,     | Norton,      |
| Bailey,        | Griswold,  | O'Callaghan, |
| Bates,         | Gulick,    | Palmer,      |
| Benedict,      | Haight,    | Parkhurst,   |
| Bristol,       | Hand,      | Poppteton,   |
| Bonine,        | Haze,      | Ransom,      |
| Burt,          | Hoyt,      | Renwick,     |
| Canfield,      | Hudson,    | Rider,       |
| Chapel,        | Ingalls,   | Seymour,     |
| Craven,        | Irwin,     | Sheldon,     |
| Davis,         | Jennison,  | Shoemaker,   |
| Ellsworth,     | Jones,     | Smith,       |
| Ely,           | Lovell,    | Strang,      |
| Ewing,         | McDougall, | Thompson,    |
| Fitch,         | McWhorter, | Toll,        |
| Fitzsimmons,   | Marsh,     | Traver,      |
| Frey,          | H. Miller, | Winters,     |
| Gale,          | Mitchell,  | Worden,      |
| James Gleason, | Morton,    | Speaker,     |
| J. P. Gleason, |            |              |

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#### NAYS :

|              |              |                   |
|--------------|--------------|-------------------|
| Mr. Gregory, | Mr. Mathews, | Mr. C. L. Miller, |
| Lathrop,     |              |                   |

4

And the second named by the following vote :

#### YEAS :

|            |                    |             |
|------------|--------------------|-------------|
| Mr. Adams, | Mr. J. P. Gleason, | Mr. Palmer, |
| Arnold,    | Goff,              | Parkhurst,  |

Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,

Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Hoyt,  
Hudson,  
Ingalls,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, 63

## NAYS:

Mr. Gregory,                      Mr. Lathrop,                      Mr. Mathews,                      3

Mr. Ellsworth, from the committee on the organization of towns and counties, reported

A bill to repeal an act to incorporate the village of Mount Clemens, approved April 4th, 1851.

Read a first and second time, referred to committee of the whole and placed on the general order.

## MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Lansing, January 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to transmit herewith,

Joint resolution authorizing the appointment of watchmen about the Capitol; and

Joint resolution relative to the printing of a manual;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and to ask the concurrence of the House therein.

Very respectfully, &c.,

O. W. MOORE,

*Sec. Senate.*

On motion of Mr. Ransom,

A suspension of the rules was ordered, in order to put the first named joint resolution on its final passage.

Mr. Chittenden moved to so amend it, that the compensation of watchmen should not exceed \$2 per night, which he afterwards withdrew, and the joint resolution was passed by the House.

On motion of Mr. Ransom,

A suspension of the rules was ordered, to put the joint resolution relative to the printing of a manual, on its final passage, when

Mr. Parkhurst offered a substitute therefor, which he afterwards withdrew.

Mr. Chittenden moved that it be referred to the committee on supplies.

Lost.

Mr. Ewing moved the previous question, which was seconded.

And the question being taken, "shall the main question be now put?" the same was agreed to.

The main question being the final passage of the resolution, the same was passed.

The Speaker announced the following communication from the Commissioner of the State Land Office:

STATE LAND OFFICE, }  
Lansing, January 12, 1853. }

*To the Speaker of the House of Representatives:*

In obedience to the requirements of law, I respectfully submit my annual report, exhibiting the proceedings and affairs of this Office for the fiscal year ending Nov. 30, 1852.

Very respectfully,

PORTER KIBBEE,

*Commissioner.*

Ordered laid on the table.

On motion of Mr. Mitchell,

*Resolved*, That 3000 copies of the report of the Commissioner of the Land Office be printed for the use of the members of this House, and that they be equally divided among the members and officers.

Mr. Ely gave notice that on some future day he should ask leave to introduce

A joint resolution relative to the erection of certain light houses on Lake Superior.

Mr. Seymour gave notice that he would at some future day ask leave to introduce

A bill to prohibit the sale of intoxicating liquors, similar in its provisions to the Maine liquor law.

Mr. Fitch offered the following resolution:

*Resolved*, That the committee on supplies be and is hereby instructed to procure all stationery for the use of the officers and committees of this House, of the State contractor, and to draw the same through the proper department.

Mr. Chittenden moved to lay on the table.

Lost.

The resolution was then adopted.

Pursuant to previous notice, leave being granted, Mr. Sherman introduced

A bill relative to the organization of the county of Ontonagon, in the Upper Peninsula.

Read a first and second time, when, on Mr. Sherman's motion, a suspension of the rules having been ordered for that purpose, it was ordered to be read a third time, was so read and passed, by the following vote:

#### YEAS.

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Gale,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Hoyt,  
Irwin,  
Jennison,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Poppleton,  
~~Mr.~~ Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,

J. Gleason,  
J. P. Gleason,

Palmer,  
Parkhurst,

Speaker,

62

NAYS.

0

Mr. Norton gave notice that he would at some future time, introduce

A bill in regard to the draining of marshes and other low lands.

Mr. H. Miller gave notice that he would on some future day ask leave to bring in

A bill to amend section nine of act number 62 of session laws of 1848, relative to plank roads, approved March 13, 1848.

Mr. Parkhurst offered the following resolution:

*Resolved*, That the committees on the judiciary, banks and incorporations, and on engrossment and enrollment, be authorized to employ a secretary to assist in the discharge of the duties of each and either committee, as the case may require.

Lost.

Mr. Davis offered the following resolution:

*Resolved*, That the committee on towns and counties be instructed to bring in a bill defining the law relative to the number of school inspectors in the several townships in this State.

Adopted.

Mr. Mitchell offered the following resolution:

*Resolved*, That the number of journals hereafter to be printed for the use of this House be limited to four hundred and eighty, and that in place of the additional number heretofore furnished, four hundred and eighty copies of the reports of the debates in this House as published in the State Journal, be ordered printed, and furnished for the use of members of this House.

On motion of Mr. Ewing,

Referred to the committee on printing.

Mr. Irwin offered the following preamble and resolution:

*Whereas*, There is now in the township of Springwells, in the county of Wayne, a tract of University land unsold and unoccupied, said land being of a marshy and unproductive soil, the minimum price of which, as now fixed by law, is \$12 per acre;

*And whereas*, The high minimum price of said land, so fixed as aforesaid, prevents the sale and consequent improvement thereof, to the great injury of said township of Springwells;

*Resolved*, That the proper committee be instructed to inquire into the propriety of bringing in a bill to reduce the aforesaid minimum price of University lands in said township, to a sum not exceeding nine dollars per acre.

Adopted.

#### UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up the case of the contested election for the county of Saginaw;

The pending question on which being on the motion of Mr. Seymour to lay the following resolution on the table, to wit:

*Resolved*, That J. G. Sutherland has been duly elected, and is entitled to a seat in this House, as a Representative from the county of Saginaw.

When Mr. Seymour asked and obtained leave to withdraw his motion.

The question then being on the adoption of the resolution,

Mr. Benedict offered the following substitute therefor:

*Resolved*, That Alfred M. Hoyt improperly holds a seat in this House, as a member from the county of Saginaw, the votes given for him having been void under the constitution, and his seat is therefore declared vacated.

*Resolved*, That it appearing to this House, that Jabez G. Sutherland, having received the largest number of legal votes for Representative in this House, from Saginaw county, he is hereby declared duly elected a member of this House, and that he is entitled to the seat now occupied by Alfred M. Hoyt.

Mr. Chittenden demanded the previous question, which was seconded by the following vote:

#### YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,

Mr. Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shelden,



Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
John P. Gleason,  
Goff,  
Gregory,  
Green,

McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

64

## NAYS :

0

The question being taken, "shall the main question be now put," the same was agreed to.

The question then being on the substitute, the same was agreed to by the following vote :

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Ronine,  
Burt,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
John P. Gleason,  
Goff,

Mr. Griswold,  
Gulick,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Toll,  
Traver,  
Worden,  
Speaker,

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## NAYS :

Mr. Bates,  
Bristol,  
Chapel,  
Ely,  
Ewing,  
Frey,  
Gale,

Mr. Gregory,  
Green,  
Haight,  
Lovell,  
McWhorter,  
Matthews,  
C. L. Miller,

Mr. Reno,  
Renwick,  
Root,  
Seymour,  
Thompson,  
Winters,

20

The resolution of Mr. Benedict was then adopted by the following vote :

## YEAS :

Mr. Adams,  
Arnold,

Mr. Gulick,  
Hand,

Mr. O'Callaghan,  
Palmer,

Bailey,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
J. P. Gleason,  
Goff,  
Griswold,

Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Parkhurst,  
Poppleton,  
Ransom,  
Richardson,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

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## NAYS:

Mr. Bates,  
Bristol,  
Chapel,  
Ely,  
Ewing,  
Frey,  
Gale,

Mr. Green,  
Haight,  
Lovell,  
McWhorter,  
Matthews,  
C. L. Miller,  
Reno,

Mr. Renwick,  
Rider,  
Root,  
Seymour,  
Thompson,  
Winters,

20

Pending the call of the roll,

Mr. Strang asked that he be excused from voting on the question.

By unanimous consent, he was excused.

Mr. Seymour asked the unanimous consent of the House to introduce

A resolution postponing the special order in the case of the contested election from the county of Newaygo.

Objection being made, the resolution was not entertained.

On motion of Mr. Fitch,

The House adjourned.

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*Evening Session.*

7 o'clock.

The House was called to order by the Speaker.

The roll was called, and a quorum of members answered to their names.

Mr. Traver announced that J. G. Sutherland, the member from the county of Saginaw, was in attendance.

Whereupon, Mr. Sutherland appeared at the Clerk's desk, took and subscribed the constitutional oath, and took his seat as a member of the House.

The House then went into consideration of the special order, being the contested election of the county of Newaygo.

The question being on the resolution reported by the minority of the committee on elections, as follows:

*Resolved*, That the petitioner, (James Barton,) have leave to withdraw his petition,

Mr. Strang resumed his argument of the previous evening, and when he had concluded was followed in reply by C. H. Taylor, on behalf of contestant.

After some remarks by Messrs. Ransom and Mitchell,

Mr. Marsh moved a call of the House.

On motion of Mr. Parkhurst,

The motion was laid on the table.

The question was then taken on the resolution, and the same was adopted by the following vote:

#### YEAS:

|                |              |                |
|----------------|--------------|----------------|
| Mr. Adams,     | Mr. Gulick,  | Mr. Parkhurst, |
| Bates,         | Hand,        | Poppleton,     |
| Benedict,      | Haze,        | Ransom,        |
| Bristol,       | Irwin,       | Reno,          |
| Bonine,        | Jones,       | Richardson,    |
| Burt,          | Lathrop,     | Root,          |
| Canfield,      | McDougall,   | Seymour,       |
| Chapel,        | McWhorter,   | Sherman,       |
| Davis,         | Marsh,       | Sheldon,       |
| Ely,           | Matthews,    | Sutherland,    |
| Fitch,         | H. Miller,   | Toll,          |
| Fitzsimmons,   | Mitchell,    | Traver,        |
| Frey,          | Morton,      | Warner,        |
| J. Gleason,    | Murphy,      | Winters,       |
| J. P. Gleason, | Norton,      | Worden,        |
| Goff,          | O'Callaghan, | Speaker,       |
| Griswold,      | Palmer,      | 50             |

#### NAYS:

|             |             |              |
|-------------|-------------|--------------|
| Mr. Arnold, | Mr. Haight, | Mr. Renwick, |
| Ellsworth,  | Ingalls,    | Shoemaker,   |
| Gale,       | Jenison,    | Smith,       |
| Green,      | Lovell,     | 11           |

The question then recurring on the following resolution, reported by the majority of the committee:

*Resolved*, That James Barton is entitled to a seat in this House for the Newaygo and Oceana district,

On motion of Mr. Mitchell,

The same was indefinitely postponed.

On motion of Mr. Traver,

The House adjourned.

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*Lansing, January 13, 1853.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

On motion of Mr. Ellsworth,

*Resolved*, That the reading of the journal of the House be dispensed with, until otherwise ordered.

The journal was then corrected and approved.

#### PETITIONS.

Mr. Ellsworth presented the petition of Isaac Turner, for leave to purchase certain State building lands.

Referred to committee on public lands.

Mr. Fitch: of 39 ladies, and of 46 legal voters of the town of Lansing;

Mr. C. L. Miller: of 12 of the supervisors, and of the county officers of St. Joseph county, and of 666 legal voters, and of 957 not legal voters, of said county;

Mr. Craven: of Marion Allen and 57 others; and of Samuel A. Creville and 42 others;

Mr. Bailey: of the entire board of supervisors of the county of Barry; of Geo. Bigall and 91 others; of J. F. Adolphus and 18 others; of Louisa Hodges and 27 others; and of Eliza Stebbins and 98 others, all of the county of Barry;

Mr. Murphy: of 72 legal voters, and of 32 citizens, not legal voters, of the town of Otsego, in the county of Allegan;

Mr. Seymour: of 35 legal voters, and of 45 other citizens of the town of Fenton, Genesee county;

Mr. Winters: of F. M. Randel, Elvira Willard, Susannah Hart, and 31 others, and of S. J. Randel, J. F. Putnam, W. F. Hart, and 17 other legal voters, of Athens, Calhoun county; and

Mr. Jones: of J. H. Waldo and 29 others, voters; and of John Nixon and 13 others, of the townships of Oneida and Delta, all asking for the passage of the Maine liquor law.

Severally referred to the committee on that subject.

#### REPORTS.

Mr. Smith, from the committee on public lands, submitted the following report:

The committee on public lands have had the petition of D. S. Haywood and others under consideration; in regard to the Commissioner of the State Land Office issuing a certificate for a less quantity than a legal subdivision of the Normal School lands in this State, your committee came to the conclusion that if the proper precaution was taken by the Commissioner of the State Land Office, at the times that any certificate might be called for, for a less quantity than a legal subdivision of said Normal School lands, that it would in many instances be a material advantage to the person wanting said certificate, and work no injury to the said Normal School fund. All of which your committee submit, and ask leave to introduce a bill, and recommend its passage.

The report was accepted, the committee discharged, and the bill, entitled

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases,

Read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. Ellsworth, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to organize the county of Montcalm,

Through C. C. Ellsworth, one of their number, respectfully report that they have had the same under consideration, now report it back to the House and recommend its passage: also,

A bill to amend an act entitled an act to provide for holding terms of the District Court in the Upper Peninsula, approved June 28, 1851,

And respectfully report the same back to the House, recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Said bills, the first named having been read a first and second time, were severally referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to amend section 1 of chapter 48, of the revised statutes,

Respectfully report the same back, with corrections, recommend its passage, and ask to be discharged from its further consideration.

Your committee, in pursuance of instructions heretofore given, also report

A bill to amend chapter 15 of the revised statutes,

Recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged,

And said bills, the first named being read a first and second time, severally referred to committee of the whole and placed on the general order.

Mr. Davis, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred the accompanying bill; have had the same under consideration, and see no objection to its passage. They therefore report it back to the House, recommend its passage, and ask to be discharged therefrom.

The report was accepted, the committee discharged, and pending the question of its reference to the committee of the whole,

On motion of Mr. Ely,

A suspension of the rules was ordered, to put the bill now upon its final passage.

The bill, entitled a bill relative to the organization of the county of Marquette, in the Upper Peninsula,

Was read a third time and passed by the following vote :

## YEAS :

|                |               |                  |    |
|----------------|---------------|------------------|----|
| Mr. Adams,     | Mr. Green,    | Mr. O'Callaghan, |    |
| Arnold,        | Griswold,     | Parkhurst,       |    |
| Bailey,        | Guick,        | Poppleton,       |    |
| Bates,         | Haight,       | Ransom,          |    |
| Benedict,      | Hand,         | Reno,            |    |
| Bristol,       | Haze,         | Renwick,         |    |
| Bonine,        | Hudson,       | Richardson,      |    |
| Burt,          | Ingalls,      | Rider,           |    |
| Canfield,      | Irwin,        | Root,            |    |
| Chapel,        | Jennison,     | Seymour,         |    |
| Chittenden,    | Jones,        | Sherman,         |    |
| Craven,        | Lathrop,      | Shelden,         |    |
| Davis,         | Lovell,       | Shoemaker,       |    |
| Ellsworth,     | McDougall,    | Smith,           |    |
| Ely,           | McWhorter,    | Strang,          |    |
| Fitch,         | Marsh,        | Sutherland,      |    |
| Fitzsimmons,   | Matthews,     | Thompson,        |    |
| Frey,          | H. Miller,    | Toll,            |    |
| Gale,          | C. L. Miller, | Traver,          |    |
| James Gleason, | Mitchell,     | Warner,          |    |
| J. P. Gleason, | Morton,       | Winters,         |    |
| Goff,          | Murphy,       | Worden,          |    |
| Gregory,       | Norton,       | Speaker,         | 69 |

## NAYS :

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## MESSAGES.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
Lansing, January 12, 1853. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to transmit herewith,

A bill making appropriations for the salaries of State officers for the years 1853 and 1854, and to inform the House that the Senate have passed the same, and ordered the bill to take immediate effect, by a vote of two-thirds of the Senators elect, in which the concurrence of the House is respectfully asked.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

The bill was then read a first and second time, and referred to committee of ways and means.

The Speaker read the following communication :

SENATE CHAMBER,  
*Lansing, January 13, 1853.*

*To the Speaker of the House of Representatives :*

SIR—We have no House bills in the Senate. It will be impossible to act upon the House bills when they come up, unless we have printed bills. Will you have the goodness to call the attention of some member to this ? and oblige,

G. R. GRISWOLD.

Referred to the committee on printing.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Traver,

*Resolved*, That the State Treasurer be requested to communicate to this House the amount of surplus funds of this State, in the Banks, the amount of interest received for such deposits, and the amount and nature of the securities given for the safe keeping and reimbursement of such surplus funds.

Mr. Mitchell moved the reconsideration of the resolution of yesterday, ordering 3000 copies of the report of the Commissioner of the State Land Office to be printed.

Agreed to.

Mr. Mitchell then moved that "3,000" be stricken out, and "500" inserted.

The question was then taken on striking out, and agreed to.

Mr. Ellsworth moved to fill the blank with "2,000."

Mr. Strang with "1,500."

Mr. Adams with "1,000."

The question was first taken on "2,000."

Lost.

The question was then taken on "1,500."

Lost.

The question was then taken on filling the blank with "1,000," and agreed to.

And the resolution thus amended was adopted.

Mr. Ellsworth gave notice that he should on some future day ask leave to introduce



A bill to set off towns nine and ten, north of range nine west, from the county of Kent, and attach the same to the county of Montcalm.

Mr. Ellsworth also gave notice that he should on some future day ask leave to introduce

A bill to amend section 22 of chapter 58 of the revised statutes of 1846.

On motion of Mr. Gregory,

*Resolved*, That the committee on education be instructed to carefully consider the propriety of introducing a bill providing for the establishment of a system of free schools throughout this State, and report to this House as soon as convenient.

Mr. Seymour offered the following resolution:

*Resolved*, That the use of this Hall be tendered to the friends of temperance, on Friday evening, for a lecture on the Maine liquor law.

Which Mr. Miller moved to lay on the table ; but the motion did not prevail.

The resolution was then adopted.

On motion of Mr. Green,

*Resolved*, That the committee on towns and counties be instructed to bring in a bill requiring justices of the peace to perform the duties heretofore devolving upon overseers of the poor.

Mr. Marsh gave notice that on to-morrow he would ask leave to introduce

A bill to fix the grade and mode of construction of the Pontiac & Groveland plank road.

Mr. Winters gave notice that he should on some future day ask leave to bring in

A bill to amend sections 15 and 29, article 4 of the constitution of this State.

On motion of Mr. Marsh,

*Resolved*, That the Speaker of the House of Representatives be authorized to appoint two messengers in addition to the four we now have.

On motion of Mr. Parkhurst,

The House adjourned.

*Lansing, January 14, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

The roll was called and a quorum found to be present.

The journal of the preceding day was corrected and approved.

The Speaker announced the following appointments, under a resolution of yesterday :

Messengers—Elbert C. Bush, Moses Goodrich.

PETITIONS.

Mr. Poppleton presented the petition of Geo. Taylor of Pontiac, and 37,519 legal voters and other inhabitants of the State ;

Mr. Hudson : of Perthina Morehouse and 23 others not legal voters, of the township of Battle Creek ;

Mr. Gregory : of A. N. Seymour and 22 others, legal voters ; of Harriet E. Bartlet and 180 others, not voters; of M. A. Seymour and 35 others, not legal voters, and of D. H. Pease and 107 others, legal voters, all of the township of Nankin, Wayne county.]

Mr. Winters: the petition of Jonathan Hart, L. H. Stuart, W. W. Woolnaugh, and 348 others, legal voters of the townships of Battle Creek and Emmett, county of Calhoun; of Mrs. Brooks, Mrs. L. H. Stuart and 486 other ladies of the same place, and ten others, same place, not legal voters; of A. Gordon, J. Cooper and 41 others, legal voters, of the town of Pennfield, in said county; of 30 others, not legal voters of said township of Pennfield, and of Mrs. J. Cooper, Mrs. J. P. Beach and 28 other ladies of the same place, all praying for the passage of the Maine law.

Referred to select committee on that subject.

Mr. Fitzsimmons: of U. B. Couch and 21 others, of H. H. Sherman and 125 others, of Asa G. Edwards and 17 others, of W. O. Hoag and 38 others, all citizens of Hillsdale county, praying the legislature to authorize the Michigan Southern Rail Road Company to extend their road from Monroe to Detroit, and from Monroe to the Ohio State line.

All referred to the committee on banks and incorporations.

Mr. Sutherland: of R. P. Mason and others, praying for change of the name of the township of Northampton, in the county of Saginaw.

Referred to the committee on towns and counties.

Mr. Mitchell: the memorial of the board of education.

Ordered laid on the table and printed.

Mr. Thompson: of citizens of Lenawee county, to amend the charter of the Southern Rail Road Company, so that they may extend their road from Monroe to Detroit, and from Monroe to the State line.

Referred to committee on banks and incorporations.

Mr. C. L. Miller: of C. H. Starr, Samuel Chipman, Franklin Wells and 205 others, legal voters of St. Joseph county, asking for a reduction of the price of University lands.

Referred to the committee on public lands.

Mr. Goff: of D. J. Stuart and 38 others, and of Charles Whitmarsh and 104 others, praying for the passage of an act amending the charter of the Southern Railroad Company.

Referred to committee on banks and incorporations.

Mr. Worden: of J. M. Wood and 26 others, of Hudson, Lenawee county, remonstrating against any further amendments to the charters of the Central and Southern Railroad Companies, except under certain restrictions.

Referred to the committee on banks and incorporations.

#### REPORTS.

Mr. Seymour, from committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred the resolution for authorizing the State Auditors to procure a fire engine, have had the same under consideration, and have prepared a bill for that purpose, which they ask leave to introduce, and recommend its passage.

The committee have also had under consideration, the bill from the Senate ceding to the United States jurisdiction over a tract of land situate on Beaver Island, Lake Michigan; also over a tract of land at Eagle River, Lake Superior, and report the same back without amendment, and recommend its passage. They also ask to be discharged from the further consideration of the above bills.

The report was accepted and the committee discharged.

The bill for procuring a fire engine and suitable apparatus for extinguishing fires at the State-capital, was read a first and second time, and, together with the Senate bill ceding to the United States jurisdiction over a tract of land situate on Beaver Island, Lake Michigan, also over a tract of land at Eagle River, Lake Superior, was referred to the committee of the whole and placed on the general order.

Mr. Ransom, from the committee on the judiciary, submitted the following report:

The judiciary committee, to whom was referred

A bill to amend section 1 of act number 156 of the session laws of 1851, defining the powers and duties of the boards of supervisors of the several counties, and for other purposes,

Have considered the same, and now beg leave to report the same back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee to whom was referred that portion of the Governor's message relative to railroads, have instructed me as their chairman, to report

A bill to provide for the incorporation of railroad companies, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Worden, from the same committee, submitted the following report:

The committee on banks and incorporations, having had under consideration sundry petitions for acts incorporating institutions of learning, report the same back, accompanied by a bill, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill, entitled

A bill to provide for the incorporation of institutions of learning, was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Ellsworth, from the committee on town and counties, submitted the following report:

The committee on towns and counties, to whom was referred a bill to organize the county of Emmet, have had the said bill under consideration, and respectfully report the same back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Warner, from committee on towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred the petition of Frederick Schilling, and many others, residents of Seabwing, a German settlement in the county of Huron, and that portion thereof lying on Saginaw Bay and adjoining Tuscola county, stating that said settlement numbers 160 inhabitants; that they are 120 miles from Lexington, the county seat of Sanilac county, to which they are attached for judicial and representative purposes, and only twenty-five miles from the county seat of Tuscola county; that on account of the great distance to Lexington aforesaid, they have never organized any township, or enjoyed the privileges of citizenship since their location at said settlement, and therefore pray that they may be attached with that portion of Huron county occupied by them, to wit: Townships 15 and 16 north of range 9 east, from said county of Sanilac, and united with township 15 north of range 8 east, and organized into a township, to be known and designated as the township of Auchville, and permanently attached to the said county of Tuscola, for all purposes whatsoever.

Your committee would, therefore, in view of the aforesaid facts, recommend that the prayer of the petitioners be granted, and for that purpose bring in the accompanying bill, recommend its passage, and ask to be discharged therefrom.

The report was accepted and the committee discharged; when the bill, entitled

A bill to organize the township of Auchville, in the county of Tuscola,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. H. Miller, from the committee of ways and means, submitted the following report :

The committee of ways and means, respectfully report Senate bill number 8, providing for appropriations for State officers for 1853 and 1854, and recommend its passage, and that the committee be discharged from further consideration of the same.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Morton, from the same committee, submitted the following report :

The committee of ways and means have had under consideration

A bill to provide for assessing property at its true value, and for leveying and collecting taxes thereon.

The object of the bill is to consolidate the tax laws of the State in one act, and the introduction of several amendments to our present tax system. The most important among the changes proposed, the committee mention :

1st. The listing of all real and personal property under oath, that the supervisors may assess the same at its cash value. While this system of taxation cannot increase the amount of taxes, it will show that the aggregate property of the State is over \$100,000,000, instead of some \$30,000,000, as now returned ; and that our taxes, where property is assessed at its real value, are less than in any other of the Western States. It is believed also, that the change proposed will make the burdens of taxation fall more equally upon the property holders of the State.

2d. Providing for the collection of non-resident taxes one year sooner than at present, and to make more perfect and valid, after a term of years, the titles acquired under the State ; and

3d. Providing for a change in the present manner of assessing and disposing of State tax lands.

The committee believe many of the changes proposed to be of great importance, and earnestly recommend them, as well as the consolidation of all our tax laws in one act.

The report was accepted, the committee discharged, the bill read a first and second time, and referred to the committee of the whole and placed on the general order.

The following communication was received from the State Treasurer :

STATE TREASURER'S OFFICE, }  
Lansing, Mich., January 13, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I have the honor to acknowledge the receipt of the following resolution, viz :

*“Resolved, That the State Treasurer be requested to communicate to this House, the amount of surplus funds of this State in the Banks, the amount of interest received for such deposits, and the amount and nature of the securities given for the safe keeping and reimbursement of such surplus funds.”*

In reply to the resolution, I have the honor to state that the amount of funds belonging to this State now in deposit, are as follows, viz:

|                                         |             |
|-----------------------------------------|-------------|
| In Peninsular Bank, Detroit, .....      | \$98,347 84 |
| In Mich. Insurance Bank, Detroit, ..... | 228 60      |
| In Phoenix Bank, N., Y., .....          | 21,108 95   |

Making in all, the sum of.....\$119,685 39

For which no interest is received, and for which the State has no other security than the obligation of the banks themselves, and the bond of the State Treasurer and his sureties.

All of which is respectfully submitted.

B. C. WHITTEMORE,  
*State Treasurer.*

On motion of Mr. Ely,

The same was laid on the table and ordered printed.

Also the following :

SENATE CHAMBER, }  
Lansing, January 13, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to inform the House that the Senate have concurred in the House amendments to

A bill to provide for the payment of the members and officers, and incidental expenses of the legislature,

And have ordered the same, as amended, enrolled.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ely, pursuant to notice, asked and obtained leave to introduce

A joint resolution relative to the erection of certain light houses on Lakes Superior and Michigan.

Read a first and second time, when

Mr. Ely moved that the rules be suspended, requiring the resolution to lay over one day.

Lost.

Mr. Ransom moved a re-consideration of the motion of Mr. Ely, which, after some remarks, he withdrew.

The motion was then renewed by Mr. Chittenden,

And after some remarks by Messrs. Chittenden, Strang and Ely,

The motion prevailed.

Mr. Chittenden then moved a suspension of the rules, in order to put the joint resolution on its passage.

Lost.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce

A bill ceding jurisdiction to the United States over a certain tract of land situate on Beaver Island, Lake Michigan; also over a tract of land at Eagle River; also over Round Island; also over Indian or Squaw point, Marquette, Marquette county, Lake Michigan.

Read a first and second time and referred to committee on public lands.

Mr. Ellsworth, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend section 22 of chapter 58 of the revised statutes of 1846, and

A bill to set off from the county of Kent, towns 9 and 10 north, of range 9 west, and annex the same to the county of Montcalm.



Severally read a first and second time and referred, the first named to the committee on education, and the second to the committee on the organization of towns and counties.

Mr. Strang, pursuant to previous notice, asked and obtained leave to introduce

A bill to organize the county of Cheboygan.

Read a first and second time, and referred to the committee on towns and counties.

Mr. Griswold offered the following resolution:

*Resolved*, That the committee on printing be authorized to procure a map like this copy, to be published in the manual of this session.

Adopted.

Mr. Sutherland offered a joint resolution relating to certain school lands.

Laid over one day under the rule.

Mr. Renwick offered the following resolution:

*Resolved*, That the memorial of the Regents of the University of Michigan, asking payment to the University fund of certain interest moneys, (referred to committee on education,) be ordered printed.

Adopted.

On motion of Mr. Gale,

*Resolved*, That the committee of ways and means be instructed to inquire into the situation of the claim due from A. St. Amand, absconding treasurer of Genesee county, and that they report the same to this House.

Mr. Fitch gave notice that on some future day he would ask leave to introduce

A bill to amend section 34, chapter 20, title 5 of the revised statutes of 1846.

Mr. Marsh, pursuant to previous notice, asked and obtained leave to introduce

A bill to fix the grade and mode of construction of the Pontiac and Groveland Plank Road Company.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. O'Callaghan, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend the laws incorporating the city of Detroit, and the several acts amendatory thereof.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Toll gave notice that he would on some future day ask leave to introduce a bill to regulate the fisheries.

The House then went into committee of the whole on the general order,

Mr. Morton in the chair.

After spending some time thereon, the committee rose, and by their chairman, reported back to the House that they had had under consideration sundry bills, upon which they had made some progress, asked leave to sit again thereon, and to be now discharged from further consideration thereof.

The report was accepted, leave granted, and the committee so discharged.

On motion of Mr. Mitchell,  
The House adjourned.

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*Lansing, January 15, 1853.*

The House met and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbacker.

The roll was called, and a quorum being present, the journal was corrected and approved.

PETITIONS.

The following petitions praying for the passage of the Maine law were presented :

By Mr. Seymour : of 40 inhabitants of the town of Gaines; of 41 inhabitants of Fenton ; of 79 legal voters of the town of Vienna ;

Mr. Parkhurst : of Wm. M. Parker and 135 others, legal voters ; of Lyman & Power, and W. C. Palmer, legal voters, both of Oakland county ;

By Mr. Ingalls: of 82 legal voters, and 118 not legal voters, of the town of Boston, Ionia county;

By Mr. Winters : of S. L. Barker, and 65 legal voters, and 51 not legal voters, of the town of Sheriden ; of 132 legal voters, and 189 not legal voters, of the townships of Albion and Sheriden, in the county of Calhoun ;

By H. Miller : of 240 persons not voters, of the townships of Pontiac, Farmington and Royal Oak ;

Mr. McWhorter : of 19 legal voters of Jackson, Jackson county ;

Mr. Renwick : of Edward Clark and 197 others of the city of Ann Arbor ;

Mr. Fitch : of 50 legal voters, and of 41 ladies and youths of the town of Phelps ; and of Miss E. G. Beebe and 25 other ladies of the township of Stockbridge, Ingham county, and of 15 youths of the same place ;

Mr. J. P. Gleason : of 80 legal voters of the township of Clay, St. Clair county ;

Mr. Traver : of James Smith and 49 others, legal voters of the township of Wheatland, Hilldale county, and of Harriet Gates and 51 others ;

Mr. Gale : of Abigail P. Leach and 43 others, not legal voters, and of D. W. C. Leach and 28 others, legal voters of the township of Mundy, Genesee county ;

Mr. Sutherland : of C. O. J. Chilson and 9 others, not legal voters, and of C. C. Chilson and 13 others, legal voters of Hampton, Saginaw county ;

Mr. Craven : Sophia F. Hunter and 29 others, not legal voters ; of Catharine Read and 42 others, not legal voters ; of 10 legal voters ; of Ellen C. Hollister and 33 others ; of John C. Brunson and 9 others, legal voters of the town of Victor ; of R. Strickland and 51 others, legal voters of Clinton county ;

Mr. Jones : of T. A. Stebbins and 46 other legal voters, and of 112 inhabitants of Cammel ; of Seth Jenne and 6 others, voters, and of 24 inhabitants of Chester ; of A. J. Tabor and 4 others, voters of Delta, all of Eaton county ;

Mr. James Gleason : of 201 legal voters, of Osceola and Howell, and of 84 legal voters, and of 84 not legal voters, of Brighton, Livingston county ;

Mr. Murphy : of 29 legal voters ; of 26 legal voters ; of 7 legal voters ; of 12 not legal voters ; of 27 not legal voters, of Allegan county ;

Mr. Morton : of Jane Bancroft, Orinda Candee and 148 others not legal voters ; and of Asa Candee and 81 others, of Monroe county ;

Mr. Arnold : of 141 legal voters of Branch county ;

Mr. Adams : of Coredlie Brown and 170 others, not voters, of Shelby and Stirling ;

Mr. Renwick : of C. D. Bliss and 265 others, legal voters, of the city of Ann Arbor ;

Mr. Lathrop : of Luther D. Whitney and 68 other legal voters ; of Uriah Townsend and 30 others ; of Richard Barnes and 38 voters ; of Mary J. Hodson and 10 other ladies ; of J. B. Hodson and 6 other legal voters, all of Lapeer county ;

Mr. Worden : of Matilda Petagrue and 81 others, not voters ; of Susan A. Foot and 29 others, not voters, of Hillsdale county ;

Mr. Thompson : of 22 voters of Lenawee county ;

Mr. Gregory : of Lucinda S. Lyman and 68 others, not voters ; of William G. Smith and 30 other voters, of Shiawassee county ; of Elizabeth Lake and 12 others, not voters ; of Henry Read and 11 other voters, of Washtenaw county ; of J. B. Leonard and 7 other voters ; of Nancy Burd and 30 others, not voters ; of Robert Fulford and 15 other voters ; of Ann Blakesley and 9 others, not voters ; of Adam Rumsey and 30 other voters, all of Wayne county ;

Mr. Gulick : of Seth C. Sadler and 42 others ; and of Maria Waterman and 63 others, not voters, of Genessee county ; of Ralph Swartout, and 7 other voters of Shiawasse county ; of H. R. Stevens and 16 other voters ; and of Harriet L. Stevens and 29 others, not voters, of Livingston county ;

Mr. Smith : of 17 persons not legal voters, and of 16 voters of said county.

All referred to the select committee on the subject.

Mr. Fitzsimmons : of G. B. Taylor and 131 others ; of W. G. Sherwood and 53 others ; of H. Reese and 26 others ; of H. Shipman and 43 others ; of A. Ransom and 51 others ; of Noah Belamy and 35 others ; of Henry Ferris and 54 others ; of E. O. Grosvenor and 39 others ; of R. S. Varnum and 16 others ; of J. B. Till and 55 others, all citizens of Hillsdale county, praying for a law to authorize the Michigan Southern Railroad Company to extend their road from Monroe to Detroit, and from Monroe to the State line of Ohio.

Referred to committee on banks and incorporations.

Mr. Poppleton : of E. Raynale and 182 others, citizens of Oakland county, praying the passage of a resolution recommending the pardon of the Central Railroad prisoners, which was read, and

On motion of Mr. Poppleton,

Ordered laid on the table.

Mr. Davis: of D. F. Gates and 108 others, citizens of Branch county, praying for an amendment of the charter of the Michigan Southern Railroad Company.

Referred to the committee on banks and incorporations.

Mr. Morton: of Charles Humphrey, Dr. E. Adams, R. O'Conner, and 584 others, of Monroee county, asking for a change in school laws.

Referred to the committee on education.

Mr. Arnold: of J. B. Crippen and 89 others, of Branch county, praying for an amendment of the Michigan Southern Railroad Company's charter.

Referred to the committee on banks and incorporations.

Mr. Thompson: of Jerome Lee and 290 others, asking for change in school laws.

Referred to committee on education.

Mr. Arnold: of H. C. Lewis and 71 others, of Branch county, for a division of the school fund.

Referred to committee on education.

Mr. Ransom asked and obtained the unanimous consent to introduce the following resolution:

*Resolved.* That any member having charge of petitions, memorials, or other documents, pertaining to the passage of a law like the liquor law of the State of Maine, shall hand all such petitions, memorials and documents to the chairman of the special committee, or some member thereof, to whom this subject has been referred by this House.

Mr. Traver moved to amend the resolution so that it would include all petitions.

Lost.

Mr. Ransom's resolution was then adopted.

#### REPORTS.

Mr. Morton, from the committee of ways and means, submitted the following report:

The committee of ways and means report

A bill relative to brokers and exchange dealers,

Recommend its passage and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was read a first and second time, referred to the committee of the whole and placed upon the general order.

Mr. Burt, from the committee on internal improvements, to whom was referred

A bill for the construction of a ship canal around the falls of St. Mary's river,

Reported that they had had the same under consideration, and respectfully ask leave to report it back to the House, with amendments thereto, ask the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

Your committee have had under consideration

A bill to organize the county of Cheboygan,

And respectfully report the same back to the House, as corrected, and recommend its passage.

They have also had under consideration the petition of R. P. Mason and others, citizens of the township of Northampton, in the county of Saginaw, praying that the name of said township may be changed to Chessening, beg leave to report that they are of the opinion that the prayer of the petitioners should be granted, and therefore report the same back to the House, accompanied with a bill, and recommend its passage.

They have also had under consideration a resolution of the House, instructing said committee to inquire into the propriety of bringing in a bill to abolish the office of County Auditors in the county of Wayne, and to transfer the duties of that office to the board of supervisors of said county, respectfully report that there having been no reasons assigned to your committee why said office

should be abolished, although they have had two public meetings since the same was referred to them, report the same back to the House without action, and ask to be discharged.

The report was accepted, the committee discharged, and the first named bill placed on the general order; the second, entitled

A bill to change the name of the township of Northampton, in the county of Saginaw,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Ellsworth, from the same committee, also submitted the following report:

The committee on towns and counties, to whom was referred a resolution from the House, instructing them to bring in a bill defining the law relative to the number of school inspectors in the several townships in this State, through their chairman, most respectfully report that they have had the matter referred to them, under consideration; that article eleven, paragraph one of the new constitution, provides that there shall be elected annually in the several townships, among other officers, one township clerk, who shall be ex-officio school inspector, and also one school inspector; that after careful investigation and mature consideration of the new constitution, and the present laws relative to school inspectors, they have unanimously come to the conclusion that the laws now in force, were not repugnant to the new constitution in that respect, and that they will remain in force until repealed or altered by the Legislature.

Your committee are inclined to the opinion that the framers of the constitution contemplated and intended that the term of office of the school inspector should be one year, in lieu of two, as at present, therefore making making but two inspectors instead of three; that the duties devolving upon such inspectors are not unfrequently of great importance, involving the rights, interest and peace of whole communities; that the number of three, in the opinion of your committee, for a board of school inspectors, is much better calculated to subserve the interests of those for whom they act, and arrive at just conclusions and proper decisions, and with less difficulty, than two; in which case should there be a disagreement, there would be no possible way of obtaining a decision; that they seriously doubt the

propriety of the introduction of the provision referred to, into the constitution. They therefore hereby report said resolution back to the House, move that it be laid on the table, the constitution stricken out, and the committee discharged.

The report was accepted, the committee discharged, and the resolution ordered laid on the table.

Mr. Seymour, from the committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred

The bill to provide for taking the census and statistics of this State,

Have had the same under consideration and made amendments thereto, and report the same back to the House and recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

The following report was presented by the Speaker from the finance committee of the Detroit Savings Fund Institute:

DETROIT SAVINGS FUND INSTITUTE,  
January 1, 1853. }

*To the Legislature of the State of Michigan:*

The undersigned respectfully report this institution have on deposit, eighty-three thousand six hundred and one dollars and eighty-nine cents; which amount is invested as follows, viz:

|                                                   |             |
|---------------------------------------------------|-------------|
| In notes secured by individual endorsement, ..... | \$52,932 18 |
| Secured by mortgages and stocks, .....            | 19,005 51   |
| Balance of judgment, .....                        | 4 88        |
| Cash on hand, .....                               | 11,659 32   |
| Total, .....                                      | \$83,601 89 |

All of which is respectfully submitted.

SHUBAEL CONANT,  
H. N. WALKER,  
Z. PITCHER,

*Finance Com. of said Institute.*

On motion of Mr. Ely,

The report was laid on the table and ordered printed.



Mr. Sherman, from committee on mines and minerals, submitted the following report:

The committee on mines and minerals have had under consideration

A bill for the formation of corporations for mining copper, iron, silver, coal, and other minerals, and for manufacturing and mechanical purposes,

And, recommend its passage.

The report was accepted and the committee discharged.

The bill was read a first and second time, referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Lansing, Jan. 14, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to transmit herewith,

A bill to amend section one of an act entitled an act to amend chapter 25 of the revised statutes of 1846,

Which the Senate have passed, and by a vote of two-thirds of all the Senators elect, ordered the same to take immediate effect.

Also, joint resolution relative to the public domain, which the Senate have passed, and in both which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y. Senate.*

The bill was read a first and second time, and referred to the committee on judiciary.

The joint resolution was read a first and second time and referred to the committee on public lands.

Also the following :

SENATE CHAMBER,  
Lansing, January 14, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill relative to the organization of the county of Ontonagon, in the Upper Peninsula,

Which I am instructed to inform you the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, by a vote of two-thirds of all the Senators elect, and by a like vote ordered to take effect immediately.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

Mr. Mitchell moved to concur in the amendments to the bill.

Agreed to.

The bill was then ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ransom introduced

A joint resolution providing a place for the session of the supreme court, in Lansing.

The resolution was read a first and second time, when

On motion of Mr. Ransom,

The rule requiring the joint resolution to lay over one day was suspended, to put the resolution on its final passage.

And the resolution was read a third time and passed.

Mr. Ewing offered the following resolution:

*Resolved*, That when this House adjourn, it adjourn to meet at two o'clock this afternoon, and that hereafter the regular hours of meeting shall be at 10 o'clock A. M., and at 2 o'clock, P. M., until otherwise ordered.

Mr. Marsh moved to lay the resolution on the table.

Lost.

On motion of Mr. Parkhurst,

The resolution was indefinitely postponed.

Mr. Mitchell introduced a concurrent resolution of instructions to committees on the State prison.

Laid over one day under the rule.

Mr. Strang gave notice that he would at some future day ask leave to introduce

A bill to extend and define the boundaries of certain counties ; also,

A bill to organize the township of Drummond in the county of Chippewa.

Mr. Craven gave notice that he would, at some future day, ask leave to introduce

A bill to appropriate certain non-resident highway taxes in the county of Saginaw, to the opening and improvement of a certain State road therein; also,

A bill directing the laying out of a certain road in the county of Gratiot, in towns 9, 10, 11 and 12 north, range 1 west; and the application of certain non-resident highway taxes to the opening and improvement of the same.

UNFINISHED BUSINESS.

The House then took up under the order of unfinished business,

A joint resolution relative to certain school lands;

Which was ordered to be read a third time, and was so read and passed.

The joint resolution relative to the erection of certain light houses on Lakes Superior and Michigan,

Was then taken up, ordered to be read a third time, and was so read and passed.

On motion of Mr. Mitchell,

Joint resolutions relative to a grant of lands to aid in constructing a Railroad to the Upper Peninsula,

Was taken from the table, referred to the committee of the whole and placed on the general order.

The House then resolved itself into a committee of the whole on the general order,

Mr. Morton in the chair.

After spending some time thereon, the committee rose and through their chairman reported back to the House without amendment,

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch, and

A bill to provide for the publication of probate and other legal notices; also

A bill to amend an act entitled an act to organize the county of Montcalm, approved March 20, 1850,

With an amendment, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged, when  
On motion of Mr. Ely,  
The House adjourned.

---

*Lansing, January 17, 1853.*

The House met pursuant to adjournment, and was called to order  
by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The journal was then corrected and approved.

PETITIONS PRESENTED.

Mr. Seymour presented the petition of 33 legal voters of Genesee county, and of 38 inhabitants of Livingston county;

Mr. Ingalls: of 28 legal voters, and of 39 persons, not legal voters, of the county of Ionia, all asking the passage of the Maine liquor law.

Severally referred to the select committee on that subject.

Mr. Fitzsimmons presented the memorial of W. T. Howell and 178 other citizens of the county of Hillsdale, asking certain amendments to the charters of the Southern and Central railroads, and protesting against any increase of their privileges, until such amendments, or that said roads be re-purchased by the State.

Read, and on motion of Mr. Fitzsimmons,

Ordered laid on the table and printed.

REPORTS OF STANDING COMMITTEES.

Mr. H. Miller, from the committee on printing, submitted the following report:

The committee on printing, to whom was referred a resolution of the House, authorizing an exchange to be made of a portion of the 600 copies of the daily State Journal, Extra, (heretofore voted for the use of this House,) for the Tri-Weekly State Journal, report that an arrangement has been made with the printer, by which, on and after this day, 200 copies of the daily Journal, Extra, will be continued to be furnished for the House, and in lieu of the remaining 600 copies, 400 copies of the Tri-Weekly State Journal will be furnished for the use of members, in which will appear the daily proceedings of the two Houses.

The Speaker announced the following communication from the Adjutant and Quarter Master General:

ADJUTANT & QUARTER MASTER GENERAL'S OFFICE, }  
*Detroit, January 8, 1853.*

To the Hon. G. G. QUACKENBOSS,

*Speaker of the House of Representatives:*

SIR—I have the honor herewith to transmit my annual reports for the years 1851 and 1852, of the condition and administration of this department during that period, and to remain,

Very respectfully,

Your ob't serv't,

J. E. SCHWARZ,

*Adj. & Qr. Master General.*

Ordered laid on the table.

Also the following from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE, }  
*Lansing, January 17, 1853.*

To the Hon. D. G. QUACKENBOSS,

*Speaker of the House of Representatives:*

SIR—I have the honor to transmit herewith to the Legislature, an abstract of the report of the superintendents of the poor for the several counties in the State of Michigan for the year 1852, as received at this office.

Very Respectfully,

WM. GRAVES,

*Secretary of State.*

On motion of Mr. Ely,

Ordered laid on the table and printed.

Also the following message from the Senate :

SENATE CHAMBER, }  
*Lansing, January 15, 1853.*

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return to the House,

A bill relative to the organization of the county of Marquette, in the Upper Peninsula,

And to respectfully inform you that the Senate have concurred therein, and ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Also to transmit,

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of circuit courts,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and ordered the same to take immediate effect, and to respectfully ask the concurrence of the House therein.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The first named bill was ordered enrolled.

The second read a first and second time and referred to the committee on judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. McWhorter offered the following :

*Resolved*, That the use of this House be and the same is hereby tendered to Dr. Calvin H. Chase, for four lectures on anatomy, physiology and hygiene, on Monday, Tuesday, Wednesday and Thursday evenings of this week.

Mr. Sherman moved to amend by inserting "that the House resign the Hall to Dr. Chase for the next 30 days."

Lost.

Mr. Seymour moved to amend by striking out "Tuesday, Wednesday and Thursday."

Pending which,

Mr. Toll moved to lay the whole matter on the table.

Lost.

When Mr. Seymour's amendment was agreed to, and the resolution as amended adopted.

Mr. Ewing gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled

An act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848.

Mr. Goff moved that House bill No. 2, to repeal an act to incorporate the Adrian Insurance Company, be taken from the committee of the whole and referred to the committee on banks and incorporations to which

Mr. Ewing offered the following amendment :

That the committee be instructed to report the bill back to the House at as early a day as possible.

Adopted.

The question was then taken on the motion as amended,

Which, the yeas and nays being ordered, was lost by the following vote:

#### YEAS:

Mr. Bates,  
Bristol,  
Bonine,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Frey,  
Gale,  
Goff,

Mr. Gregory,  
Green,  
Gulick,  
Haight,  
Hudson,  
Ingalls,  
Jennison,  
Lathrop,  
Lovell,  
McWhorter,

Mr. Mathews,  
C. L. Miller,  
Mitchell,  
Morton,  
Richardson,  
Rider,  
Sherman,  
Sutherland,  
Thompson,  
Winters,

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#### NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Ely,  
Fitzsimmons,  
James Gleason,  
John P. Gleason,  
Griswold,

Mr. Hand,  
Haze,  
Irwin,  
Jones,  
McDougall,  
Marsh,  
H. Miller,  
Murphy,  
Norton,  
O'Callaghan,  
Poppleton,  
Ransom,

Mr. Reno,  
Renwick,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

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Mr. Fitch, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chapter 20 of the revised statutes of 1846,

Which was read a first and second time and referred to the committee on judiciary.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill requiring and authorizing the Auditor General to pay to the county of Kent all sums paid by said county as the State bounty for the destruction of wolves.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval,

A bill to organize the county of Ontonagon, in the Upper Peninsula.

Mr. Warner gave notice that he would ask leave, on some future day, to bring in

A bill to amend chapter 93, title 21, of the revised statutes of 1846, relative to taxing of costs in the justices' courts.

Mr. Norton gave notice that he would, at some future day, ask leave to introduce

A bill to amend section 52, title 30, chapter 154, revised statutes of 1846.

Mr. Sherman gave notice that he would at some future day, ask leave to introduce

A bill to organize the townships of Rockland and Greenland, in the county of Ontonagon.

On motion of Mr. Ewing,

*Resolved*, That the committee on State prison be instructed to inquire if section 4, of article 18, of the revised constitution, relative to mechanical trades in the State prison, is carried out in strict conformity with the provisions of said section.

Mr. Ransom gave notice that he would ask leave on a future day to introduce

A bill to amend the charter of the Kalamazoo and Grand Rapids Plank Road Company, approved March 25, 1850; and also.

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848; and also

A bill to amend an act entitled an act amending an act relative to plank roads, approved March 13, 1848, approved March 19, 1849.

Mr. Sutherland gave notice that he would ask leave at some future day to introduce

A bill to attach the counties of Midland, Aronac, Gladwin and Iosco, to the county of Saginaw, and for other purposes.

Mr. Hand gave notice that he would at some future day ask leave to bring in

A bill to amend chapter 25 of the revised statutes of 1846; also

A bill to amend section 18 of chapter 25 of the revised statutes of 1846.



By consent, the Speaker announced the following message from the Governor:

EXECUTIVE OFFICE, }  
Lansing, January 17, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the Office of the Secretary of State,

An act relative to the organization of the county of Ontonagon, in the Upper Peninsula.

R. McCLELLAND.

Under the head of unfinished business, the House then took up the following concurrent resolution, offered on Saturday by Mr. Mitchell, and ordered to lay over one day, to-wit:

*Resolved*, (the Senate concurring,) That the committee on State prison of the Senate and of the House of Representatives, be instructed to visit the State prison, at Jackson, and make report of their doings, and of the situation of said prison, with all convenient speed.

The question being on the adoption of the resolution, the same was not adopted.

A bill to amend an act entitled an act to organize the county of Montcalm, approved March 20, 1850,

Was also taken up; and the question being on concurring in the amendment reported from the committee of the whole, which amendment was as follows:

Amend by striking out the word "eight," in first line, and insert in place thereof the word "west;" the same

On motion of Mr. Ellsworth,

Was concurred in, and the bill ordered to be engrossed and read the third time.

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater in the county of Branch, and

A bill to provide for the publication of probate and other legal notices,

Reported by the committee of the whole House, without amendment, were severally ordered to be engrossed and read the third time.

The House then went into committee of the whole, on the general order,

Mr. Morton in the Chair.

After spending some time thereon, the committee rose and by their chairman reported that they had had under consideration

A bill to repeal an act to incorporate the Adrian Insurance Company, approved April 17, 1839,

Upon which they had made some progress, asked leave to sit again thereon, and to be now discharged from the consideration thereof.

The report was accepted, leave granted, and the committee discharged.

Mr. Ellsworth moved that the House adjourn.

Lost as follows:

YEAS:

Mr. Hudson,

Mr. Parkhurst,

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NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
John P. Gleason,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Seymour,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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When, on motion of Mr. Mitchell,

The House took a recess until 2 o'clock P. M.

*Afternoon Session.*

2 o'clock.

The House was called to order at 2 o'clock, P. M., by the Speaker,  
And resolved itself into committee of the whole, on the general  
order,

Mr. Morton in the Chair.

After spending some time thereon, the committee rose and by their  
chairman reported back to the House without amendment,

A bill to provide for the relief of James Waters;

Also, with amendments,

A bill to provide for filing certain reports in the Auditor General's  
office, and for other purposes;

A bill to repeal an act to incorporate the Adrian Insurance Com-  
pany;

A bill providing for procuring a fire engine and suitable apparatus  
for extinguishing fires at the State Capitol;

A bill to amend section 1, chapter 48, title 9, of the revised stat-  
utes of 1846.

In all which they ask the concurrence of the House, and to be  
discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

The committee also reported that they had had under considera-  
tion

A bill making appropriations for the salaries of State officers, for  
the years 1853 and 1854,

Upon which they had made some progress, and ask leave to sit  
again thereon, and to be now discharged from the further considera-  
tion thereof.

The report was accepted, leave granted, and the committee so dis-  
charged, when

On motion of Mr. Sheldon,

The House adjourned.

*Lansing, January 18, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and a quorum of members found to be present.

The journal of the preceding day was corrected and approved.

PETITIONS.

The following petitions, praying for the Maine law, were presented.

By Mr. Bates: of Royal G. Potter and 14 other voters; of David Flint and 37 others; of Leander Sacket and 68 other voters, and of S. Plues and 156 others, all citizens of Monroe county;

Mr. Poppleton: of Elizabeth Daniels, Sarah Sprague, and 153 other ladies; and of N. G. Stone and 152 other male inhabitants, of Oakland county;

Mr. Gregory: of Geo. W. Case and 9 others; of Martin H. Ford and 38 others; of Alvah Whitman and 12 others; of David A. Freeman and 36 others; of Eli Bradshaw and 48 others; of Eliza M. Morton and 68 other ladies, all of Wayne county.

All of which were referred to the special committee on the subject of their prayer.

Mr. Worden: of H. Boies and 54 others, of Lenawee county, praying that the Southern Railroad be authorized to extend their road from Monroe to Detroit, and from Monroe to the Ohio State line.

Referred to the committee on banks and incorporations.

Mr. Craven: of Wm. D. Fitzhugh, G. D. Williams, and of S. G. Sutherland and others, for an act applying certain non-resident highway taxes in Saginaw county, to the improvement of a certain road therein.

Referred to the committee on roads and bridges.

Mr. Frey: of A. C. Prutzman, J. Reed, and 80 others, asking for a reduction in the price of University lands.

Referred to the committee on public lands.

Mr. Ransom: of Allison Kinne and other citizens, of Kalamazoo county, praying for a specific tax on dogs, or their destruction.

Referred to the committee on State affairs.

Mr. Chittenden: of Orville B. Dibble and 27 others; of C. A. Trowbridge and 45 others; of Stevens & Zug and 40 others, all of the city of Detroit, and praying the extension of the Southern Railroad from Monroe to said city, and to the Ohio State line.

Referred to the committee on banks and incorporations.

Mr. Lathrop: of Wm. H. Clarke, T. M. Hayton, and 120 others, of the county of Lapeer, praying an investigation relative to the northern wagon road, and the appropriation made therefor.

Laid on the table.

Mr. Morton: W. W. Clarke and 39 others; of Henry Webb and 109 others; of J. C. Cole and 37 others, all of Monroe county, praying the extension of the Michigan Southern Railroad.

Referred to the committee on banks and incorporations.

Mr. Craven: of Thomas M. Merrill and others, praying that highway commissioners of Duplain be required to lay out and open a road in the county of Gratiot, in towns 9, 10, 11 and 12 north, range one west.

Referred to the committee on roads and bridges.

Mr. Adams: Remonstrance of A. S. Robertson and 36 others against the repeal of the charter of the village of Mt. Clemens.

Referred to the committee of the whole and placed on the general order.

#### REPORTS.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for approval,

A bill relative to the organization of the county of Marquette, in the Upper Peninsula.

Mr. Ransom, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred the accompanying Senate bill, have considered the same, report it back, recommend that the House concur in its passage, and ask to be discharged from its further consideration.

The report was accepted the committee discharged, and the bill entitled

A bill to amend section one of an act entitled

An act to amend chapter 25 of the revised statutes of 1846,

Was referred to committee of the whole and placed on the general order.

Mr. Bates, on behalf of the committee on banks and incorporations, submitted the following report :

The committee on banks and incorporations, to whom was referred

A bill to fix the grade and mode of construction of the Pontiac and Groveland Plank road company,

Have had the same under consideration, and report it back to the House, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Norton, from the committee on the organization of towns and counties, to whom was referred

A bill to amend sections 14 and 15 of act number 158, session laws of 1851,

Reported the same back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### MESSAGES.

The following message was announced from the Governor :

EXECUTIVE OFFICE, }  
*Lansing, January 17, 1853.*

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act relative to the organization of the county of Marquette, in the Upper Peninsula.

R. McCLELLAND.

Also the following message from the Senate:

SENATE CHAMBER, }  
*Lansing, January 17, 1853.*

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to extend the time for the collection and return of taxes in

the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852, and for other purposes;

Which I am instructed to inform you the Senate have passed, with an amendment in which the concurrence of the House is asked, by a vote of two-thirds of all the Senators elect, and by a like vote ordered to take effect immediately. Also,

A joint resolution providing a place for the sessions of the Supreme Court, in Lansing,

Which the Senate have passed.

Also, herewith is transmitted,

A bill to incorporate the city of Adrian,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote ordered that the same take immediate effect. Also,

Joint resolution asking an additional donation of the public lands to the Michigan University fund,

And am instructed respectfully to ask the concurrence of the House therein.

Very respectfully,

O. W. MOORE,

*Sec. Senate.*

The Senate amendment to the first bill, which was as follows:

In first section, after the word "towns," insert the words "Campbell and Sebewa," was concurred in, and the bill as amended ordered enrolled.

The bill to incorporate the city of Adrian, was read a first and second time and referred to the committee on banks and incorporations.

The joint resolution providing a place for the sessions of the Supreme Court, in Lansing, was ordered enrolled.

The joint resolution asking an additional donation of the public lands to the Michigan University fund, was laid over one day under the rule.

On motion of Mr. Marsh,

*Resolved*, That the committee on education be directed to inquire into the propriety of making some provision to supply each school district in this State with a copy of Webster's unabridged dictionary.

Mr. Sutherland moved that the petition relative to examinations of accounts of special commissioners appointed to expend lands for the improvement of wagon roads, in Lapeer and other counties, be taken from the table and referred to the proper committee.

Agreed to.

Mr. Lathrop moved that the motion of Mr. Sutherland, just adopted, be referred to a special committee.

Agreed to.

Mr. Sutherland, pursuant to previous notice, asked and obtained leave to introduce

A bill to attach the counties of Midland, Gladwin, Aronac, Isabella and Iosco to Saginaw county, and for other purposes.

Read a first and second time, and referred to the committee on the organization of towns and counties.

Mr. Ransom, pursuant to previous notice, asked and obtained leave to introduce

A bill further to amend an act entitled an act relative to plank roads, approved March 13, 1848.

Read a first and second time, and referred to the committee of ways and means.

Mr. Ransom, also pursuant to previous notice, asked and obtained leave to introduce

A bill supplementary to an act to incorporate the Kalamazoo and Grand Rapids plank road company, approved March 25, 1850.

Read a first and second time and referred to the committee on the judiciary.

Mr. Bonine, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend section 18, chapter 25, of the revised statutes of 1846.

Read a first and second time, and referred to the committee on the judiciary.

Mr. Warner, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chapter 93, title 21 of the revised statutes of 1846, relative to taxing costs in justices' courts.



Read a first and second time and referred to the committee on the judiciary.

Mr. Norton, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend section 49 of chapter 154 of the revised statutes of 1846.

Read a first and second time and referred to the committee on the judiciary.

Mr. Craven, pursuant to previous notice, asked and obtained leave to introduce

A bill to provide for the opening and improvement of a certain State road in the county of Saginaw.

Read a first and second time and referred to the committee on roads and bridges,

Mr. Craven, pursuant to previous notice, also asked and obtained leave to introduce

A bill to provide for the opening and improvement of a certain road in the county of Gratiot.

Read a first and second time and referred to the committee on roads and bridges.

Mr. Poppleton gave notice that at some future day he would ask leave to introduce

A bill to regulate and define the fees of judges of the probate courts.

Mr. C. L. Miller, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chapter 60, section 1 of the revised statutes of 1846.

Read a first and second time and referred to the committee on public lands.

Mr. Shoemaker, pursuant to previous notice, asked and obtained leave to introduce

A bill authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties.

Read a first and second time and referred to the committee of ways and means.

Mr. Sutherland gave notice that on some future day he would ask leave to bring in

A bill to authorize the county of Saginaw to loan its bonds for the purpose of constructing a plank road.

Mr. John P. Gleason gave notice that on some future day, he would ask leave to introduce

A bill to amend section 30 of act 156 of the session laws of 1851.

### THIRD READING OF BILLS AND RESOLUTIONS.

Under this order of business, a bill to provide for the publication of probate notices, was read a third time and passed by the following vote :

#### YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,  
Gregory,

Mr. Griswold,  
Gulick,  
Haight,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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#### NAYS:

0

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch,

Was read a third time and passed by the following vote :

#### YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,

Mr. Goff,  
Green,  
Griswold,  
Gulick,  
Haight,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,

Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,

Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,

Renwick,  
Richardson,  
Rider,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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## NAYS:

Mr. Gregory,

Mr. C. L. Miller,

2

A bill to amend an act entitled an act to organize the county of  
Montcalm, approved March 20, 1850,

Was read a third time and passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ely,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,

Mr. J. P. Gleason,  
Goff,  
Gregory,  
Griswold,  
Gulick,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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## NAYS:

0

## UNFINISHED BUSINESS.

The House then took up

A bill to amend chapter 48, section 1, title 9 of the revised statutes of 1846;

And the question thereon being on the concurrence of the House in the following amendment, reported back by the committee of the whole:

Strike out of section 1, line 6, "and shall have served for the term of seven years." and insert "and serve as such fireman," the same was concurred in, when

On motion of Mr. Mitchell,

The bill was re-committed to the committee on the judiciary, with instructions to make the details of the bill conform to the amendment.

Also,

A bill providing for procuring a fire engine and suitable apparatus for extinguishing fires at the State Capitol.

The question being on concurring in the amendments made thereto in committee of the whole,

Pending the question on the following :

Strike out section 3, and insert the following : "The sum of \$750 is hereby appropriated for carrying into effect the above act, provided the inhabitants of Lansing and vicinity raise a like sum of \$750."

Mr. Mitchell offered the following substitute :

Strike out section three as amended, and insert in place thereof the following :

"Sec. 3. For carrying the above provisions into effect, a sum not exceeding fifteen hundred dollars is hereby appropriated and authorized to be paid by the State Treasurer, upon the warrant of the Auditor General: *Provided*, That said sum shall not be paid until the inhabitants of the town of Lansing shall first, for the same purpose, raise and pay over to the State Auditors, the sum of \$500."

Mr. Ewing moved to amend the substitute, by striking out the proviso therefrom.

Agreed to.

The question was then taken on the substitute, as amended, and the same was not adopted.

The question was then taken on the amendment, and it was not agreed to.

The question then being on the following amendments reported back by committee of the whole, to wit :

In section 32 strike out "to make their own by-laws."

And insert in line 3 after "militia," the words "and give them the same privileges."

The same were not agreed to.

The question then being on ordering the bill to be engrossed and read the third time,

Pending which,

Mr. Mitchell offered the following amendment :

Amend section 2 by inserting after the word "militia," in the third line, "and highway labor."

Adopted.

Mr. H. Miller then offered the following to stand as section 4, to wit :

Sec. 4. The further sum of \$1000 is hereby appropriated for the purpose of erecting an engine room.

Lost.

The bill was then ordered to be engrossed and read the third time.

The bill to repeal an act entitled

An act to incorporate the Adrian Insurance Company, approved April 17, 1839,

Being then taken up and pending the question on concurring in the amendments of the committee of the whole.

Mr. Davis moved that it be referred to the committee on banks and incorporations.

After a lengthy debate by Messrs. Davis, Ransom, Gale, Winters, Seymour and Ellsworth,

On motion of Mr. Ewing,

The House took a recess until 2 o'clock, without the question being taken.

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*Afternoon Session.*

2 o'clock.

The House was called to order at 2 o'clock, P. M.

Roll called; a quorum present.

The House then resumed the consideration of

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839.

The pending question thereon, being the motion of Mr. Davis, to commit the same to the committee on banks and incorporations,

After some remarks by Messrs. Gregory and Ransom,

Mr. H. Miller moved the previous question;

Which was demanded.

The question being taken, "shall the main question be now put?"

The same was agreed to.

The main question being on the motion of Mr. Davis,

The same did not prevail by the following vote:

YEAS:

Mr. Bates,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Frey,  
Gale,

Mr. Gregory,  
Green,  
Haight,  
Hudson,  
Ingalls,  
Lathrop,  
Lovell,

Mr. Matthews,  
Richardson,  
Sherman,  
Sutherland,  
Thompson,  
Winters,

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NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Canfield,  
Chapel,  
Chittenden,  
Ely,  
Fitch,  
Fitzsimmons,  
James Gleason,  
John P. Gleason,  
Goff,  
Griswold,

Mr. Gulick,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Poppleton,

Mr. Ransom,  
Reno,  
Renwick,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Traver,  
Warner,  
Worden,  
Speaker,

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The question was then taken on the following amendments, reported back by committee of the whole, to wit:

Amend by inserting after the word "remedies," in the 6th line, "nor the right of said company to hold and enforce the collection of any demand or obligation now held or owing to said company in good faith."

Insert in the 8th line, after the word "remedies," the words "and the collection of such demands or obligations;"

And the same were concurred in.

The bill was then ordered to be engrossed and read the third time.

A bill to provide for filing certain reports in the Auditor General's Office, and for other purposes,

Was then taken up; and the question being on concurring in the following amendments made thereto in committee of the whole, to-wit:

Amend section 3, by inserting the words "city or village," before the word "when," in the third line.

Amend section 4, by striking out "ten days," in the third line, and insert the words "thirty days."

Amend section 4, by striking out the word "ten," in third line, and insert the words "thirty days, if the place of business of such company be in the lower peninsula; if in the upper peninsula, then within sixty."

On motion of Mr. Mitchell,

They were severally concurred in.

The question then being on its engrossment for a third reading,

Pending which,

Mr. Ewing offered the following amendment:

Strike out "ten per cent," in the fifth and sixth lines of section two, and insert "five per cent, when the sum so collected exceeds five hundred dollars, and ten per cent when said sum is less than five hundred dollars."

Adopted.

The bill was then ordered to be engrossed and read the third time.

A bill to provide for the relief of James Waters,

Was ordered to be engrossed and read the third time.

The House then resolved itself into a committee of the whole on the general order,

Mr. Mitchell in the chair.

And after spending some time thereon, the committee rose, and through their chairman reported back to the House,

A bill making appropriations for the salaries of State officers for the years 1853 and 1854; and

A bill to repeal an act to incorporate the village of Mount Clemens.

The first with amendments, in all of which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

On motion of Mr. Ellsworth,

The amendments to the first named bill, which were as follows, were concurred in in gross:

Strike out "five," in line 14, and insert "six."

Strike out "four hundred and seventy-five," in line 19, and insert "six hundred."

Amend section two, so as to correspond with section one.

Mr. Mitchell then moved to strike out "five," in line fifteen, and insert "six."

Lost.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Burt,

The second named bill was ordered laid on the table.

On motion of Mr. Mitchell,

The House adjourned.

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*Lansing, January 19, 1853.*

The House met pursuant to adjournment and was called to order by the Speaker.

The roll was called, and a quorum of members answered to their names.

Prayer by the Rev. Mr. Dayfoot.

The journal was then corrected and approved.

#### PETITIONS.

Mr. Haight: of 32 voters, and of 90 persons not voters, of Brookfield, Eaton county;

Mr. Rider: of Henry Harvey and 86 others, not voters; of J. W. Childs and others, voters, of Washtenaw county;



Mr. Ellsworth: of H. H. Slawson and 81 other voters, of Harriet Peck and 60 others, not voters, of Montcalm county;

Mr. Speaker: of Parmelia Miller, and 10 others, not voters; of Isaac Miller and 25 other citizens, of the town of Mason;

Mr. Parkhurst: of Hannah Parker and 80 others, not voters; of James H. Campbell and 37 others, of Oakland county;

Mr. Haze: of 18, not voters, and of B. G. Fox and 49 others, of the township of Unadilla;

Mr. Ellsworth: of Lucy P. Manning and 85 others, not voters, and of Stephen Manning and 67 other voters;

Mr. Bailey: of Jonathan Hait, and 28 others; of Samuel McMurry, and 21 others; of Lucinda Sprague, and 9 others; of Eliza Stebbins, and 26 others, not voters; of John Barnum and others; of Maria Boyers, and 31 others;

All praying for the Maine law.

Referred to select committee on that subject.

Mr. Morton: of B. Dansard and 75 others, of Monroe county;

Mr. Frey: of Charles Cooper and 52 others; of Chas. P. Austin and 19 others; of Wm. R. Haynes and 45 others; of L. Rosebrook and 46 others; of J. M. Keeler and 12 others; of Wm. B. May and 4 others; of C. C. Woodbury and 20 others; of George W. Bisell and 29 others; of L. S. Hovey and 60 others, all of St. Joseph county;

Mr. Davis: of S. C. Rose and 20 others, of Branch county;

Mr. C. L. Miller: of A. Y. Drake and 49 others; of J. A. Thompson and 9 others; of P. H. Buck and 19 others, all of St. Joseph county, praying for an amendment to the Michigan Southern Rail Road charter.

Referred to the committee on banks and incorporations.

Mr. Smith: the memorial and resolutions of the board of supervisors of Kent county.

Referred to the committee of ways and means.

Mr. Morton: of Peter Ward, Jr., and 241 others, of Monroe county;

Mr. Ewing: of Rev. Thomas Cullen, S. Denton, and 215 others, of Washtenaw county;

Mr. Parkhurst: of Peter Wallace and 72 others, of Oakland county;

Mr. Chittenden: of Rt. Rev. Peter P. LeFevre, and 2753 others, of Wayne county;

Mr. Craven: of Geo. Groger and 187 others;

Mr. Haze: of Peter Crosby and 195 others;

Mr. Shoemaker: of 589 citizens of Kent county;

Mr. Griswold: of James Hannegan and 79 others, of Berrien county;

Mr. Palmer: of James A. Hennessey and 84 others, of Calhoun county;

All praying alteration in school laws.

Referred to committee on education.

#### REPORTS.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to extend the time for the collection and return of taxes, in the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852 and for other purposes; also,

Joint resolution relative to the supreme court, to be held in Lansing.

Mr. Morton, from committee of ways and means, submitted the following report:

The committee of ways and means have had under consideration,

A bill further to amend an act entitled an act relative to plank roads, approved March 13, 1848.

The bill proposes to change the present law, by requiring plank road companies to make an annual report to the Auditor General instead of the Secretary of State; and in addition to the returns now required by section 9, of the general law of 1848, to report the actual nett profits of their roads for the preceding year, that taxes may be levied upon such profits, and not as now, upon the amount of capital invested. Many of our plank roads do not pay any profit to the stockholders, but are made, merely as works of enterprise, to invite settlement and develop the agricultural advantages and resources of new sections of the country; and should not be taxed like roads

over our principal thoroughfares paying 20 to 30 per cent. The bill proposes to remedy this evil, which, if continued may prevent the construction of roads in new sections where they are most needed. The committee therefore recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

And on motion of Mr. Ransom,

The bill was referred to the judiciary committee.

Mr. Morton, from the same committee, submitted the following report:

The committee of ways and means, who were instructed to inquire into the situation of the claim against A. St. Amand, absconding treasurer of Genessee county, respectfully report, that they find that said treasurer is in default to the State about the sum of twenty-five hundred dollars; that the Auditor General has caused legal proceedings to be instituted against him, and by virtue of said proceedings a considerable amount of property has been attached. The committee also find that most of the property attached is encumbered by mortgages, and the security to the State under such attachment is contingent upon the removal of said incumbrances or the value of the property over and above the amount of such mortgages. It appears also, that no judgment has been obtained in said suit, and as your committee believe that it may be for the interest of the State to save the expense of litigation, and to settle and adjust said claim on fair terms, and as such adjustment can be better effected through the agency of the Auditor General than by legislative investigation, they respectfully report the accompanying joint resolution, and ask to be discharged from further consideration of the subject.

The report was accepted, the committee discharged, and the joint resolution entitled

A joint resolution relative to the claim of the State against A. St. Amand, late treasurer of Genessee county,

Was read a first and second time, and laid over one day under the rule.

Mr. Ely, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred the bills to provide for the opening and laying out of a certain road in the county of Saginaw, and a certain road in the county of Gratiot, have had the same under consideration, and report the same back to the House, recommend their passage, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

Mr. Ransom, from the committee on the judiciary, submitted the following report:

The committee on the judiciary beg leave to report to the House,

A bill to amend section 6 of chapter 11 of the revised statutes of 1846, and recommend its passage.

The report was accepted, the committee discharged, the bill read a first and second time, and referred to the committee of the whole and placed on the general order.

Mr. Warner, from committee on towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred

A bill to attach the counties of Midland, Aronac, Gladwin, Isabella and Iosco, to the county of Saginaw, and for other purposes,

Beg leave to report that they have had the same under consideration, respectfully report said bill back to the House, recommend its passage, and ask to be discharged therefrom.

The report was accepted and the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Ellsworth, from the judiciary committee, submitted the following report:

The judiciary committee, to whom was referred House bill No. 13, report the same back to the House with several amendments, respectfully ask the concurrence of the House therein, and that the committee be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill, entitled

A bill to amend chapter 48, section 1, title 9 of the revised statutes of 1846,

Was referred to committee of the whole and placed on the general order.

Mr. Ransom, from the judiciary committee, submitted a report in relation to the amendment of the charters of railroad companies; which,

On motion of Mr. Fitch,

Was laid on the table, and 500 copies of it ordered printed for the use of the House.

Mr. McDougall, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred bill from the Senate to incorporate the city of Adrian, report the same back to the House and recommend its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on federal relations, introduced

A bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland,

Which was read a first and second time, when

Mr. Parkhurst moved a suspension of the rules, to put the bill upon its final passage;

Which being agreed to,

The bill was read a third time and passed by the following vote :

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth.

Mr. Gregory,  
Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,

Mr. O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman  
Shelden,  
Shoemaker,  
Smith,

Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,

McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, 69

NAYS: 0

Mr. Smith, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred

A bill to reduce the price of University land in the State,

Have had the same under consideration, and respectfully report it back to the House without amendment, and recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill entitled

A bill to amend chapter 60, section 1, of the revised statutes of 1846,

Was referred to committee of the whole and placed on the general order.

Mr. Winters, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred

A bill to legalize the existence of the county of Grand Traverse, and to divide the same into townships,

Have had the same under consideration, and respectfully report that they have made some corrections to the bill, report the same back to the House, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Davis, from committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to amend section 49 of chapter 154 of the revised statutes of 1846,

Have had the same under consideration, made amendments thereto, report the same back to the House, and recommend its passage as amended, and ask to be discharged from the further consideration thereof.

Which was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

The Speaker announced as the select committee on the subject of the northern wagon road, and the appropriations made therefor:

Messrs. Lathrop, Sutherland and Gale.

MESSAGES.

The following message was announced from the Governor;

EXECUTIVE OFFICE, }  
Lansing, Jan. 17, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection and return of taxes in the townships of Campbell and Sebewa, in the county of Ionia, and for the purpose of authorizing the supervisors thereof to make out new and corrected tax rolls for said towns for the year 1842, and for other purposes;

Joint resolutions relative to the place of holding the Supreme Court, in Lansing.

R. McCLELLAND.

Also the following from the Senate:

SENATE CHAMBER, }  
Lansing, January 19, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to transmit herewith,

A bill ceding jurisdiction to the United States over lot number 1, section 34, in township number 22 north of range 8 east;

Which the Senate have passed, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

*Sec. Senate.*

The bill was read a first and second time and referred to the committee on public lands.

Also the following :

SENATE CHAMBER,  
*Lansing, Jan. 19, 1858.* }

*To the Speaker of the House of Rep's:*

SIR—I am hereby instructed by the Senate to return to the House,  
Joint resolution relative to the erection of certain light houses on  
Lakes Superior and Michigan,

And to respectfully inform you that the Senate have concurred  
therein, with an amendment in which they ask the concurrence of the  
House ;

Also to transmit

A bill to repeal the act entitled an act to incorporate the Adrian  
Insurance Company.

Which the Senate have passed by a majority vote of all the Sena-  
tors elect, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The Senate amendments to the joint resolution were concurred in  
and the resolution ordered enrolled.

A bill to repeal an act entitled an act to incorporate the Adrian  
Insurance Company,

Was read twice, and

On motion of Mr. Ransom,

Ordered laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ransom offered the following resolution :

*Resolved,* That the standing rule of this House, which requires all  
bills and joint resolutions, on being referred to a committee of the  
whole House and placed upon the general order of business, to be  
printed, be suspended until otherwise ordered.

Lost.

Mr. O'Callaghan offered the following :

*Whereas,* The past history of Michigan, from the organization of  
her territorial government down to the present day, has been closely  
and honorably identified with that of her distinguished adopted son,  
GEN. LEWIS CASS, whose life has been spent in a series of brilliant



civil services, the lustre of which has in no small degree been reflected upon her name and history, and whose constant, energetic and well sustained efforts have been put forth for the advancement and prosperity, not less than for the honor and interests of the whole Union ; therefore, be it

*Resolved by the Senate and House of Representatives,* That a sum not exceeding one thousand dollars be and the same is hereby appropriated and placed at the disposal of the Governor of the State for the purpose of procuring to be painted a faithful portrait of Gen. Cass, to be placed in the Hall of the House of Representatives.

Referred to the committee of ways and means.

Mr. Mitchell moved a reconsideration of the vote by which was lost the resolution offered by Mr. Ransom, relative to the printing of bills, referred to the general order.

Agreed to.

The question then being on the adoption of the resolution, after some debate, the same,

On motion of Mr. Ransom,

Was ordered laid on the table.

Mr. Haze offered the following resolution :

*Resolved,* That to-day, and until otherwise ordered, this House will hold two sessions each day ; the morning session to commence at 10 o'clock A. M., the afternoon session at 2½ P. M.

Mr. Ewing moved to strike out "half-past two," and insert "two."

Agreed to.

Mr. Chittenden moved to strike out "ten" and insert "nine."

Agreed to.

The question then being on the adoption of the resolution as amended,

Mr. Marsh moved to lay on the table.

Lost.

When, on motion of Mr. Mitchell,

The same was indefinitely postponed.

Mr. Sutherland gave notice that he would on some future day ask leave to introduce

A bill to amend sections 14 and 15, of chapter 21, of the revised statutes of 1846, relative to specific taxes and duties.

Mr. Richardson gave notice that on some future day he would ask leave to bring in

A bill to adjust the account of delinquent taxes, of the counties of Tuscola and Saginaw, in the office of the Auditor General, for delinquent taxes, and to legalize certain sales of land for taxes in said counties.

On motion of Mr. Fitzsimmons,

*Resolved*, That the memorial of William T. Howell and others, be taken from the table, and referred to the committee on banks and incorporations.

Mr. Sutherland, pursuant to previous notice, asked and obtained leave to introduce

A bill to authorize the county of Saginaw to loan its bonds for the purpose of constructing a plank road.

Read a first and second time and referred to the special committee of three on the subject.

Mr. Strang, pursuant to previous notice, on leave, introduced

A bill to organize the township of Drummond.

Read a first and second time and referred to the committee on the organization of towns and counties.

Mr. Craven gave notice that on some future day he would ask leave to introduce

A bill to amend sections 21, 22 and 28 of act No. 156, of session laws of 1851, entitled an act to define the powers and duties of the boards of supervisors of the several counties of this State; also, to amend the 7th and 15th clauses of section 11 of the same act.

Mr. Craven moved that the committee on towns and counties be instructed to inquire into the propriety of amending section 1 of act No. 156, of the session laws of 1851, entitled an act to define the powers and duties of the boards of supervisors of the several counties of this State, so as to require a meeting of said boards to be held in the month of April in each year, as soon after the annual township meetings as possible, for the purpose of equalizing relatively the valuations of real and personal property therein.

Mr. Morton moved to take from the table, the resolution of Mr. Ransom, in reference to the printing of bills, referred to the committee of the whole.

Agreed to.

And the question being on the adoption of the same,  
 Pending which,  
 On motion of Mr. Fitch,  
 It was referred to the committee on printing.

## THIRD READING OF BILLS.

A bill to repeal an act to incorporate the Adrian Insurance Company,  
 Was read a third time, when  
 Mr. Parkhurst moved to lay the same on the table.

Lost.

The bill was then passed by the following vote:

## YEAS.

|                |              |             |    |
|----------------|--------------|-------------|----|
| Mr. Adams,     | Mr. Gregory, | Mr. Palmer, |    |
| Arnold,        | Green,       | Parkhurst,  |    |
| Bailey,        | Griswold,    | Poppleton,  |    |
| Bates,         | Gulick,      | Ransom,     |    |
| Benedict,      | Haight,      | Reno,       |    |
| Bristol,       | Hand,        | Renwick,    |    |
| Bonine,        | Haze,        | Richardson, |    |
| Burt,          | Irwin,       | Rider,      |    |
| Canfield,      | Jennison,    | Root,       |    |
| Chapel,        | Jones,       | Seymour,    |    |
| Chittenden,    | Lathrop,     | Sherman,    |    |
| Craven,        | Lovell,      | Sheldon,    |    |
| Ellsworth,     | McDougall,   | Shoemaker,  |    |
| Ely,           | McWhorter,   | Smith,      |    |
| Ewing,         | Marsh,       | Strang,     |    |
| Fitch,         | Matthews,    | Thompson,   |    |
| Fitzsimmons,   | H. Miller,   | Toll,       |    |
| Frey,          | Mitchell,    | Traver,     |    |
| Gale,          | Morton,      | Warner,     |    |
| J. Gleason,    | Murphy,      | Winters,    |    |
| J. P. Gleason, | Norton,      | Worden,     |    |
| Goff,          | O'Callaghan, | Speaker,    | 66 |

## NAYS.

Mr. Davis, 1

On motion of Mr. Fitch,

The House took a recess until 2 o'clock P. M.

—  
*Afternoon Session.*

2 o'clock.

The House was called to order at 2 o'clock P. M.

The roll was called, and a quorum of members was found to be present.

The House then resumed the order of the third reading of bills, when

A bill making appropriations for the salaries of State officers for the years 1853 and 1854,

Was read a third time and passed by the following vote:

YEAS :

|              |               |                  |
|--------------|---------------|------------------|
| Mr. Adams,   | Mr. Green,    | Mr. O'Callaghan, |
| Arnold,      | Griswold,     | Palmer,          |
| Bailey,      | Gulick,       | Poppleton,       |
| Bates,       | Haight,       | Ransom,          |
| Benedict,    | Hand,         | Reno,            |
| Bristol,     | Haze,         | Renwick,         |
| Bonine,      | Ingalls,      | Richardson,      |
| Burt,        | Irwin,        | Rider,           |
| Canfield,    | Jennison,     | Root,            |
| Chape',      | Jones,        | Seymour,         |
| Craven,      | Lathrop,      | Smith,           |
| Ellsworth,   | Lovell,       | Strang,          |
| Ely,         | McDougall,    | Sutherland,      |
| Ewing,       | McWhorter,    | Thompson,        |
| Fitch,       | Marsh,        | Toll,            |
| Fitzsimmons, | Matthews,     | Traver,          |
| Frey,        | C. L. Miller, | Warner,          |
| Gale,        | Mitchell,     | Winters,         |
| J. Gleason,  | Murphy,       | Worden,          |
| Goff,        | Norton,       | Speaker,         |
| Gregory,     |               | 61               |

NAYS :

0

And was ordered by a vote of two-thirds of all the members elected to take effect immediately.

A bill to provide for the relief of James Waters, was read a third time and passed by the following vote :

YEAS :

|            |            |                |
|------------|------------|----------------|
| Mr. Adams, | Mr. Green, | Mr. Parkhurst, |
| Arnold,    | Gulick,    | Poppleton,     |
| Bailey,    | Haight,    | Ransom,        |
| Bates,     | Hand,      | Reno,          |
| Benedict,  | Haze,      | Renwick,       |
| Bristol,   | Ingalls,   | Richardson,    |
| Bonine,    | Jennison,  | Rider,         |
| Burt,      | Jones,     | Root,          |
| Canfield,  | Lathrop,   | Seymour,       |
| Chapel,    | Lovell,    | Shoemaker,     |
| Craven,    | McDougall, | Smith,         |
| Ellsworth, | McWhorter, | Strang,        |

Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
James Gleason,  
Goff,  
Gregory,

Marsh,  
Mathews,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Sutherland,  
Thompson,  
Toll,  
Traver,  
Winters,  
Worden,  
Speaker,

58

NAYS :

0

A bill to provide for filing certain reports in the Auditor General's office, and for other purposes, was read a third time, when,

On motion of Mr. Strang,

It was recommitted to the committee of ways and means, with instructions to amend by adding a section, authorizing the assessment of such specific taxes, by some proper State officers, in case the returns are not made or are not satisfactory.

A bill providing for procuring a fire engine and suitable apparatus for extinguishing fires at the State Capitol,

Was read a third time, and passed, by the following vote :

YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
Goff,  
Gregory,  
Green,

Mr. Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jenes,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
Palmer,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

61

NAYS :

Mr H. Miller,

1

Joint resolution asking an additional donation of the public lands to the Michigan University fund,

Was read a third time and passed.

The House then went into committee of the whole on the general order,

Mr. Ransom in the chair.

After spending some time thereon, the committee rose, and by their chairman, reported back to the House, without amendment,

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases; also,

A bill to provide for the payment of the expenses of the State government; and

A bill to amend section 5, chapter 50, of the revised statutes of 1846, relative to unauthorized banking, &c.,

With amendments, in which they ask the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged, when

On motion of Mr. Ellsworth,

The House adjourned.

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*Lansing, January 20, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbocker.

The roll was called and a quorum found to be present.

The journal of the preceding day was corrected and approved.

#### PETITIONS.

Mr. Winters presented the petition of Miss S. A. Barton, Mary A. Johnson and 24 other ladies of Battle Creek; of Hellen E. Noble, Catharine Graham and 80 others, not legal voters, of the townships of Battle Creek and Emmett, Calhoun county;

Mr. Bates : of H. Smith, Chas. C. Goodale and 16 others; of Otis A. Critchet and 13 others;

Mr. Arnold : of 43 ladies, and of 62 voters, of Quincy, Branch county;

Mr. Hudson : of E. A. Hayden, Homer C. Hurd and 48 others, voters, and of Mrs. B. F. Rood and 131 other ladies, of Calhoun county ;

Mr. Traver : of the Rev. Nathan Mount and 115 other voters, and of Matilda Mount and 184 not voters, of Hillsdale county ;

Mr. Shoemaker : of Pe-tah-na-wah-quot, and 56 other Indians ; of T. E. Wetmore, J. M. Pelton and 8 other supervisors ; of Harriet Harwood, Marion Harwood, and 85 others not voters ; of Benjamin Davis and 53 voters ; of Mary J. Harris and 25 others, not voters ; of Lucina Ballard and 39 not voters ; of Franklin F. Clarke and 29 other voters ; of H. A. Varmest and 16 other voters of Kent county ; of 21 voters of Allegan ; of Alpheus Harwood and 49 other voters of Barry county ; of Mary A. Brownson and 30 others of Allegan county ; of Francis Ingalls and 24 other voters ; of Hannah Thompson and 33 others, not voters ; of Matilda H. Hart and 27 others ; all praying for the Maine law ;

Referred to the special committee on that subject.

Mr. Morton : of D. M'Cormick and 61 others of Monroe county ;

Mr. C. L. Miller : of C. B. Peck, John Sturgis, Rice Pearsall and 11 others, and of George Tyler and 17 others, all praying for amendments to the Mich. Southern Railroad charter ;

Referred to committee on banks and incorporations.

Mr. Bailey : of A. P. Drake and others, remonstrating against extension of powers of railroad companies.

Referred to committee on banks and incorporations.

Mr. Traver : of S. C. Murdock and 163 others, of Hillsdale county, for a general railroad law ;

Referred to the committee on banks and incorporations.

Mr. Morton : of Seba Murphy and 206 others, of Monroe county, for the re-enactment of a law of 1836, providing for a tax of 25 cents to aid volunteer military companies.

Referred to the committee on militia.

Mr. Rider : of S. C. Morton and 241 others, of Ypsilanti, relative to Normal school.

Referred to committee on education.

Mr. Root : of Michael Kelly and 225 others, of Jackson county ;

Mr. Smith: of R. D. Hastings and 85 others, praying for change in school laws.

Referred to the committee on education.

Mr. Marsh: of Milton Sergeant and 96 others, of Oakland county, for the drainage of a certain lake.

Referred to the committee on the organization of towns and counties.

Mr. Root: of R. H. King and 54 others, of Jackson county, in relation to a division of the township of Henrietta.

Referred to the committee on towns and counties.

Mr. Poppleton: of Henry S. Buel and 44 others, of Oakland county, for a resolution directing the Governor to pardon Central Railroad prisoners.

Laid on the table.

#### REPORTS OF COMMITTEES.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and yesterday presented to the Governor for approval,

Joint resolution relative to the erection of certain light houses on Lakes Superior and Michigan.

Mr. Ransom, from the judiciary committee, submitted the following report:

The committee on the judiciary beg leave to report the accompanying bill relative to the bonds deposited by banks in the treasury of this State, and recommend its passage.

The report was accepted and the committee discharged, the bill twice read, referred to the committee of the whole and placed on the general order.

Mr. Ellsworth, from the committee on towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred

A bill to set off from the county of Kent, towns nine and ten, north of range nine west, and annex the same to the county of Montcalm,

Have had the same under consideration, and respectfully report that a large majority of the inhabitants in said towns, as appears from the petitions presented to your committee, are desirous of being



annexed to Montcalm county, for the following, among other reasons: that they are from thirty to thirty-five miles from Grand Rapids, the county seat of Kent county, and only five to ten miles from the county seat of Montcalm county; that they necessarily transact a good part of their ordinary business at Greenville, the county seat of Montcalm county.

Your committee, therefore, in view of the facts aforesaid, and that the county of Kent is larger by one-half than ordinary sized counties, feeling that it is no more than justice that the prayer of the petitioners should be granted, report the bill back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

The committee on towns and counties, to whom was also referred

A bill to organize the township of Drummond,

Have had the same under consideration, and see no reason why it should not pass; they therefore report it back to the House, recommend its passage, and ask to be discharged.

The report was accepted and the committee discharged, the bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the judiciary committee, submitted the following report:

The committee on the judiciary have had under consideration, two bills amendatory of an act relative to plank roads, have made several amendments thereto, and consolidated the two acts into one, respectfully report the same back to the House, recommend its passage, and ask to be discharged.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on federal relations, submitted the following report:

The committee on federal relations, to whom was referred resolutions of the States of Connecticut and New Jersey, in relation to the compromise measures, and of the State of Indiana, on the subject of the slave trade, and for the purposes of colonization, respectfully report, that in the opinion of the committee, the laws passed by Congress, and included in those called the compromise measures, are of a character which, under our National constitution, every good citizen is bound to sustain; that the violence of sectional strife was thereby assuaged, and those institutions to which we point with feelings of pride and satisfaction, as landmarks to the friends of liberty throughout the globe, were thereby saved from destruction; that in the support of those measures, we are simply sustaining the compact made by the framers of the constitution; doing as citizens, only the duty we owe to the constitution and the laws framed to carry out its provisions; preserving the integrity of the Union and the independent sovereignty of the several States, and guaranteeing to every section of our common country, protection in the rights enjoyed by its citizens under the original charter of our independence.

The committee believe that the government of the United States is sustained by moral force; that its high mission is only to be fulfilled by the strength of the popular will; that around the safeguards and compromises of the constitution, States, as such, and the citizens of all the States of the Union, should rally with their united strength; and that to carry out this object, and to promote the common good of our country, and of our whole country, the resolutions referred to were passed by the Legislatures of the States named; those resolutions are cordially approved by the committee, and it is believed will meet with the sanction of this House.

The committee also concur in the sentiments expressed in the resolutions of Indiana relative to the slave trade and colonization, believing that no better or surer mode of ameliorating the condition of free blacks, and obviating the unpleasant consequences which must arise from their remaining among us, can be devised than to aid in their removal to the African coast, and in the speedy establishment and continuance of republican forms of government among them in that region. To carry out the design and object of the reference, the committee beg leave to report the accompanying joint resolutions,

recommending their adoption, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the joint resolutions severally ordered laid over one day under the rule.

Mr. Poppleton, from the select committee on the Maine liquor law, submitted the following report :

The select committee to whom has been referred the numerous petitions in favor of a law similar to the Maine liquor law, so called, have had the same under consideration, and submit the following report :

In view of the enormous consumption, and of the wide-spread and increasing evil in consequence of the too free use of spirituous or intoxicating liquors as a beverage, beg leave to submit the following reasons, which have governed them in their conclusions and decisions, touching the whole question of a prohibitory law.

The necessity for the use of spirituous liquors, for medicinal and mechanical purposes, will not be denied, but they are indispensable for those purposes. Here the necessity of the case must cease.

That the use of alcoholic drinks, as a beverage, is deleterious to all, must be evident to the great mass of the people of this State. Of this there cannot be a doubt.

The certain and evident devastation throughout the land in consequence of the lavish use of intoxicating beverages, (not only in our own beautiful Peninsula, but in all parts of our beloved country,) calls for some very stringent and summary measures, to prevent this accursed evil, destined, if not checked, to corrupt and debase the morals of society to an alarming extent.

The evil complained of is not only doing immense harm to the present generation, but the example set before those coming after us, must and will exert a very great influence upon those who it should be our first and imperative duty to guard with much jealousy. It is indisputable that individual rights must be surrendered for the public good and benefit ; that the minority must submit to the will of the majority when constitutionally expressed. That we have an undoubted right to prohibit the manufacture and sale of any poisonous de-

coction, or substance, calculated to enter into general consumption, the too free use of which would surely but slowly terminate life.

Your committee, in view of the unexampled and unanimous desire of the people, as expressed by the unprecedented amount and extent of petitions which have been presented to this Legislature, are fully persuaded that the evil complained of demands the passage of some prohibitory law for the suppression of the manufacture and sale of intoxicating or alcoholic drinks.

The strongest arguments which can be presented for prompt and decisive action by this Legislature, are the enormous array of names here presented by the petitions, being the astonishing number of about seventy thousand, and at this early day of the session of the Legislature.

Herewith your committee ask leave to submit a bill, having for its object the end sought by the petitioners, and recommend its passage.

The report was accepted, the committee discharged, the bill twice read, when

Mr. Gregory moved to lay the same on the table.

Lost.

The bill entitled a bill for the suppression of the manufacture and sale of spirituous liquors,

Was then referred to committee of the whole and placed on the general order.

#### MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
*Lansing, January 20, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

Joint resolution relative to certain primary school lands,

Which I am instructed to inform you the Senate have passed, with amendments, by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Also, herewith is transmitted

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes, (accompanied with a memorial in relation thereto;) also,

A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850,

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

*Sec. Senate.*

The Senate amendments to the joint resolution were concurred in, and the same ordered enrolled.

The bills were read a first and second time, and severally referred, the first named to the committee of ways and means, and the last named to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ewing, pursuant to previous notice, asked and obtained leave to introduce a bill entitled

A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848.

Read a first and second time and referred to the committee on roads and bridges.

Mr. Ely offered the following resolution: ●

*Resolved*, That the committee on printing be requested to take such measures as will ensure the printing of the House bills promptly, and so as to meet the requirements of this House; and in case the same cannot be done by the present contractors, that the committee procure it done elsewhere; which,

On motion of Mr. Ellsworth,

Was laid on the table.

Mr. Ellsworth gave notice that he would on some future day ask leave to introduce

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849; also,

A bill to amend sections 54, 5, 8, 9 and 10, of chapter 93 of the revised statutes of 1846.

Mr. Chittenden gave notice that he would ask leave at some future day to introduce

A bill to amend the charter of the Detroit Sectional Floating Dry Dock and Marine Railway Company.

Mr. McDougall offered the following resolution:

*Resolved*, That the committee on education be instructed to inquire into the expediency of annulling all fractional school districts in the several townships in this State, so that school district territory shall not extend over town lines.

Lost.

Mr. Sherman, pursuant to previous notice, asked and obtained leave to introduce

A bill to organize certain townships in the county of Ontonagon, in the Upper Peninsula.

Read a first and second time, and

On motion of Mr. Sherman,

Laid on the table.

Mr. Strang moved that

A bill to legalize the existence of the county of Grand Traverse, and to divide the same into townships,

Be taken from the general order and referred back to the committee on towns and counties.

Agreed to.

Mr. Ransom asked and obtained leave to withdraw from the files of the Clerk's office,

A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons.

#### UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up the Joint resolution relative to the claim of the State against A. St. Amand, late treasurer of Genesee county;

Which was read a third time and passed.

A bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking,

Reported back by committee of the whole, without amendment, was ordered engrossed for a third reading.

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal school lands in certain cases,

Was also ordered engrossed for a third reading.

A bill to provide for the payment of the expenses of the State government,

Reported back by the committee of the whole, with the following amendment:

Insert in 4th line of section 3, after the word "townships," the words "and villages,"

The amendment being concurred in, was engrossed for a third reading.

The House then went into committee of the whole, on the general order,

Mr. Seymour in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to provide for a sinking fund; and

A bill relative to brokers and exchange dealers,

Without amendment.

Also, joint resolution relative to a grant of lands to aid in constructing a rail road to the Upper Peninsula of Michigan;

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also, over a tract of land at Eagle River, Lake Superior;

A bill to amend chapter 47, section 1, title 9, of the revised statutes of 1846; and

A bill to amend the act entitled an act to provide for holding terms of the district court in the Upper Peninsula, approved June 28, 1851,

Each with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged, when

On motion of Mr. Craven,

The House took a recess till 2 o'clock P. M.

*Afternoon Session.*

2 o'clock.

The House met, and was called to order by the Speaker.

The roll was called and a quorum of members found to be present.

The House then went into consideration of the bills reported back by committee of the whole.

The bill relative to brokers and exchange dealers,

Being under consideration,

Mr. Ransom offered the following amendment thereto:

Strike out the words "of brokers or," in the 2d line, between the words "business" and "of," and insert the following between the words "coins" and "without," in the third line, viz: "or in buying and selling exchange, or in drawing and selling bills of exchange, or in discounting notes or bills, or in receiving money on deposit, or any other business of brokers or exchange dealers."

Adopted.

Mr. Sutherland then offered the following substitute for the bill :

A bill to amend sections 14 and 15, of chapter 21 of the revised statutes of 1846, relative to specific tax and duties.

Section 1. *The People of the State of Michigan* enact, That section fourteen of chapter twenty-one of the revised statutes of 1846, be and the same is hereby amended, by inserting in the second line of said section after the word chapter, the following : "or shall employ or invest in his business a greater amount of capital than is mentioned and certified in the certificate filed with the treasurer of this State, pursuant to preceding section twelve," so that said section shall read as follows :

Sec. 14. If any person shall carry on the business of a broker or exchange dealer, contrary to the provisions of this chapter, or shall employ or invest in his business a greater amount of capital than is mentioned and certified in the certificate filed with the Treasurer of this State, pursuant to the preceding section 12, such person shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by fine not less than one hundred, nor more than two thousand dollars, in the discretion of the court.



**Sec. 2.** That section fifteen of said chapter be and the same is hereby amended, by adding at the end thereof, as follows :

“ And that before any license to any such broker or exchange dealer shall be renewed, he shall make and file with said treasurer an affidavit that he has not during the last preceding year employed or invested in his business, a greater amount of capital than is mentioned in his certificate, made and filed with said treasurer, before obtaining his license ;” so that said section when so amended shall read as follows :

**Sec. 15.** Every person who shall obtain a license to carry on the business of a broker or exchange dealer, as provided in this chapter, before he commences the business, shall make and file with said State Treasurer, an affidavit, stating therein that he has not, and will not have any connection directly or indirectly, with any bank or banks, and that no bank is or shall be entitled to any share of the profits of such business ; that before any license to any such broker or exchange dealer shall be renewed, he shall make and file with with said treasurer, an affidavit that he has not, during the last preceding year, employed or invested in his business, a greater amount of capital than is mentioned in his certificate, made and filed with said treasurer, before obtaining his license.

Mr. Chittenden moved to indefinitely postpone.

Pending the question on which,

After considerable debate,

On motion of Mr. Morton,

The whole subject was ordered laid on the table.

The bill to provide for a sinking fund,

On motion of Mr. Sutherland,

Was ordered to lie over until to-morrow.

The amendment reported by committee of the whole, to

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan ; also over a tract of land at Eagle River, Lake Superior, as follows, to wit : insert “also at the mouth of South Black River, in the county of Van Buren, at or near the mouth of South Black River ;”

Was concurred in and the bill ordered to be engrossed and read the third time.

A bill to amend an act entitled "An act to provide for holding terms of the district court in the Upper Peninsula," approved June 28, 1851,

The following amendments having been concurred in:

Amend section 3, by inserting in the third line after the last word "causes," the words "and any other cause then pending in said court."

Amend same section, by adding thereto the words "with the same power and authority as the said district judge,"

Was ordered to be engrossed and read a third time.

The amendment to the bill to amend chapter 48, section 1, title 9 of the revised statutes of 1846, as follows:

Add after the word "duty," "and any fireman who shall serve for such term of seven years, shall forever thereafter be exempt from all militia duty, except in cases of invasion or insurrection," was concurred in.

Mr. Reno then offered the following amendment:

Insert in sixth line of section one, after the word "service" the words "and forever thereafter."

Lost.

The bill was then ordered engrossed and to be read the third time.

Joint resolution relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan,

Reported back by committee of the whole without amendment, was ordered to be engrossed and read the third time.

The House then went into committee of the whole on the general order,

Mr. Gale in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to incorporate the city of Adrian,

Without amendment, recommended its passage, and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The question then being on its engrossment for a third reading,

Pending which,

Mr. Mitchell offered the following amendment thereto:

Strike out in second line of section 30, the words "either by posting or;" and insert after the word "city," the words "or by posting in at least three public places in said city."

Adopted.

Mr. Strang offered the following amendment:

In ninth line of section 1, strike out "detach," and insert "set off."

Adopted.

The bill was then ordered to be engrossed and read a third time; when,

On motion of Mr. Ewing,

The House adjourned.

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*Lansing, January 21, 1853.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and a quorum found to be present.

The journal was corrected and approved.

The Speaker announced as the special committee on a bill authorizing Saginaw county to loan bonds for plank road,

Messrs. Sutherland, Gulick and Mitchell.

#### PETITIONS.

Mr. Parkhurst presented the petition of Alfred Handy and 9 other voters, and of Mrs. C. B. Petrie and 48 others, not voters, of Oakland county;

Mr. Haze: of James Bebee and 43 other voters of Livingston county, all praying for the passage of the Maine law.

Referred to select committee on that subject.

Mr. Arnold: of H. C. Lewis and 119 others, of Branch county;

Mr. C. L. Miller: of J. G. Wait and 25 others; of R. A. Cutler and 40 others, of St. Joseph county, all praying for amendment of M. S. R. R. charter.

Referred to committee on banks and incorporations.

Mr. Sheldon: of Dolphin Morris and 47 others, and of E. O. Briggs and 7 others, of Van Buren county;

**Mr. Ranwick:** of N. Edwards and 34 others, of Washtenaw county;

**Mr. Goff:** the memorial of the State Agricultural Society;

**Mr. McDougall:** the petition of H. E. DeGarmo and 23 others, of Washtenaw county;

**Mr. Parkhurst:** of Dexter Green and T. Weeks, of Oakland county;

**Mr. Ransom:** of the Executive Committee of State Agricultural Society;

**Mr. Griswold:** of Wm. Dougherty and 882 others, of Berrien county, all praying for an appropriation of one thousand dollars in aid of State Agricultural Society.

Referred to committee on agriculture and manufactures.

**Mr. Norton:** of Joseph Smith and 55 others, asking for a law authorizing the levying of a tax for the taking down of certain mill dams and draining marshes.

Referred to judiciary committee.

**Mr. Ingalls:** of H. Bartow and 76 others, of Ionia county, for a general insurance law.

Referred to committee on banks and incorporations.

**Mr. Ransom:** of the R. Rev. Samuel A. McCoskry, relative to a division of the school funds.

On motion of Mr. Ransom,

Laid on the table, and 500 copies ordered printed.

#### REPORTS.

**Mr. Marsh,** from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and yestereay presented to the Governor for approval,

Joint resolution relative to certain school lauds.

**Mr. Ransom,** from the judiciary committee, submitted the following report:

The committee on the judiciary beg leave to report the accompanying bill, relative to claims against the State, and recommend its passage.

The report was accepted, the committee discharged, and the bill, entitled

A bill relative to claims against the State,

Was referred to committee of the whole and placed on the general order.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

The committee on town and counties, to whom was referred

A bill to legalize the county of Grand Traverse, and to divide the same into townships,

Report the same back with slight amendments, and recommend its passage. They have changed the title of the bill to

A bill to perfect the organization of the county of Grand Traverse.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Ely, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred

A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848,

Respectfully report that they have had the same under consideration, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Nr. Toll, from the committee on supplies, submitted the following report:

The committee on supplies and expenditures, would respectfully report, that when first entering on the duties of this committee they were unable to find the State contractor; therefore, for the purpose of supplying the immediate wants of this House, and the several committees, they opened an account with W. L. Whipple, for the purpose of procuring such supplies; and in further pursuance of their duty they have endeavored to comply with a resolution of the House, instructing them to procure supplies from the State contractor; but it appears that the State contractor resides in the city of Detroit, and not being able to find any person in or about the village

of Lansing authorized to act as his agent, to furnish such supplies, it appears quite inconvenient, if not impracticable, to procure supplies from the State contractor.

All which is respectfully submitted.

The report was accepted and the committee discharged.

On motion of Mr. Strang,

*Resolved*, That the committee on supplies be instructed to procure a supply of stationery, in their discretion, as they best can procure it.

Mr. Ransom, from the committee on judiciary, submitted the following report :

The committee on the judiciary beg leave to report the accompanying bill, and recommend its passage.

The report was accepted and the committee discharged.

The bill, entitled a bill to amend chapter 20 of the revised statutes of 1846, relative to the powers and duties of supervisors,

Was referred to the committee of the whole and placed on the general order.

#### MESSAGES.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE, }  
Lansing, January 20, 1853. }

*To the Speaker of the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution relative to certain school lands.

R. McCLELLAND.

Also, the following communication from the Superintendent of Public Instruction :

OFFICE OF SUP'T. OF PUB. INSTRUCTION, }  
Lansing, January 20, 1853. }

*To the House of Representatives:*

SIR—Herewith is transmitted the annual report of this office with accompanying documents.

I have the honor to be,

Very Respectfully,

Your ob't serv't.,

FRANCIS W. SHEARMAN,

*Sup't Pub. Instruction.*

Mr. Mitchell moved that the report and accompanying documents be laid on the table and 1000 copies ordered printed.

Mr. Hudson moved to strike out 1000 and insert 1500.

Mr. Strang, to insert 2000.

Mr. Ransom, 3000.

Mr. Parkhurst, 4000.

Mr. Norton, 5000.

Mr. Ellsworth, 10,000.

The question was first taken on striking out 1000.

Agreed to.

The question was then taken on inserting 10,000.

Lost.

The question was then taken on "5,000" and lost.

The question was then taken on 4,000.

Agreed to.

Mr. Winters then moved to add to the motion, and that they be equally distributed among the members and officers of the House.

Agreed to.

The Speaker announced the following message from the Senate :

SENATE CHAMBER,  
*Lansing, January 20, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed herewith, to transmit

A bill to re-enact sections 24 and 25 of chapter 90, of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining suits in equity, approved June 28, 1851,

Which the Senate have passed by a majority vote of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

The bill was read a first and second time and referred to the committee on judiciary.

Also the following :

SENATE CHAMBER,  
*Lansing, January 20, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland,

Which I am instructed to inform the House that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect.

Also, herewith is transmitted

A bill to provide for taxing foreign insurance companies,

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Yours, &c.,

O. W. MOORE,

*Sec. Senate.*

The first named bill was ordered enrolled.

The second named was read a first and second time, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sutherland moved that the bill to organize the township of Auchville, in the county of Tuscola, be re-committed to the committee on towns and counties, with instructions to inquire into the expediency of modifying the same so that the township proposed to be organized shall include the islands in Saginaw bay, adjacent to said township, and to make said township permanently a part of Tuscola county, and to change the name to Anchville.

Agreed to.

Mr. H. Miller offered the following resolution:

*Resolved*, That the committee on supplies be instructed to report to this House by what law or authority stationery and other supplies of a like nature is furnished for the use of members of this House, at public charge.

Lost.

Mr. Worden moved that Senate bill No. 20, to incorporate the city of Adrian, be re-committed to the committee on banks and incorporations, with instructions to insert a new section, as follows:

Sec. —. The mayor of said city shall represent the several wards, in the board of supervisors, and shall be entitled to all the rights, privileges and powers of said board, and receive the same pay as



other supervisors of townships while acting in and upon such board; and for that purpose the said ward supervisors shall furnish him with their assessment rolls to be presented to said board of supervisors; such rolls, together with the accompanying certificates, after the action of said board thereon, shall be returned to the proper supervisor, who shall perform all the remaining duties of such supervisor.

Agreed to.

Mr. Mitchell offered the following concurrent resolution :

*Resolved*, (if the Senate concur,) That the members of the two Houses will meet in the Hall of Representatives this evening, at 7 o'clock, to hear an address from Dr. Tappan, president of the University of Michigan.

A suspension of the rule was ordered, and the resolution adopted.

On motion of Mr. Mitchell,

Ordered that a committee of two be appointed, and that the Senate be requested to appoint a like committee, to act with the House committee, and wait upon Dr. Tappan, and invite him to deliver an address at the Representative Hall, at the hour mentioned.

The Speaker appointed Messrs. Mitchell and McWhorter as said committee.

Mr. Griswold offered the following resolution :

*Resolved*, That the committee on printing be instructed to procure 500 copies of the daily journals.

Lost.

Mr. Ellsworth, pursuant to previous notice asked and obtained leave to introduce

A bill to amend an act entitled an act to authorize proceedings against garnishees, approved March 28, 1849.

Read a first and second time and referred to committee on judiciary.

#### THIRD READING OF BILLS.

The following bills were read a third time and passed, to wit :

A bill to amend chapter 48, section one, title nine, revised statutes of 1846. by the following vote :

YEAS :

Mr. Adams,  
Arnold,

Mr. Green,  
Griswold,

Mr. Norton,  
O'Callaghan,

Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,  
Goff,  
Gregory,

Gulick,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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## NAYS :

Mr. Reno,

1

A bill to amend an act entitled an act to provide for holding terms of the District Court in the Upper Peninsula, approved June 28, 1851, as follows:

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
John P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Gulick,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Mathews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. O'Callaghan,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

64

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## NAYS :

A bill to provide for the expenses of the State government, as follows:

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
John P. Gleason,  
Goff,  
Gregory,

Mr. Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
Palmer,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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## NAYS :

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for normal school lands in certain cases, as follows:

## YEAS.

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,

Mr. O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,

Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,  
Gregory,

Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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## NAYS.

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A bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking, &c., was read a third time, when

Mr. Sutherland moved that the bill be recommitted to the committee on banks and incorporations, with instructions to report an amendment, extending the general principles of the bill to brokers, and providing like or similar punishments for the putting in circulation of foreign unauthorized bank notes, and other instruments in the similitude of bank notes, as in the case of unlawful issues by the banks of this State; also an amendment making it a misdemeanor for brokers and officers of banks to take unlawful interest.

Lost.

Mr. Morton then moved to recommit to judiciary committee, with instructions to insert the following after the word "county," in section nine:

"And if such prosecuting attorney shall neglect to prosecute, as required by this act, he shall be fined to the same amount, and imprisoned for the same term as provided for others who may violate the same."

Agreed to.

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also, over a tract of land at Eagle River, Lake Superior,

Was read a third time, and passed by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,

Mr. Goff,  
Gregory,  
Green,  
Gulick,  
Haight,  
Hand,  
Haze,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Root,  
Seymour,

Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,

Hudson,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
H. Miller,  
Morton,  
Murphy,  
Norton,  
Palmer,

Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

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NAYS: •

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Joint resolutions relative to a grant of lands to aid in constructing a rail road to the Upper Peninsula,  
Was read a third time and passed.

## UNFINISHED BUSINESS.

Joint resolutions relative to the compromise, and

Joint resolution relative to the slave trade,

On motion of Mr. Ellsworth,

Were severally ordered laid on the table.

A bill to provide for a sinking fund was then taken up, and the question being on its engrossment for a third reading,

Pending which,

Mr. Sutherland offered the following amendment :

Amend section 2 by striking out of lines 4 and 5, all after the word same, in the 4th line, to and including the word supervisors, in the 5th line, and insert in lieu thereof the following: "is or shall be equalized by the State board of equalization."

Adopted.

On motion of Mr. Mitchell,

The word "his," in line 4 of section 5 was stricken out, and "its" inserted.

The bill was then ordered engrossed, and read the third time.

On motion of Mr. Ely,

The House took a recess till 2 o'clock, P. M.

*Afternoon Session.*

2 o'clock.

The House was called to order by the Speaker.

The roll was called, and a quorum found to be present.

The House then went into committee of the whole on the general order,

Mr. Ellsworth in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House, without amendment,

A bill to change the name of the township of Northampton in the county of Saginaw;

A bill to amend section 24 of chapter 16 of the revised statutes of 1846; and

A bill to amend section 1 of act number 156 of the session laws of 1851, defining the powers and duties of the boards of supervisors of the several counties, and for other purposes; also,

A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon;

A bill to amend chapter 15 of the revised statutes of 1846;

A bill to provide for taking the census and statistics of this State;

A bill to amend sections 14 and 15, of act number 156, session laws of 1851;

A bill to organize the county of Cheboygan; and

A bill relative to the bonds of banks deposited in the treasury of the State;

Each with amendments, in all which they ask the concurrence of the House, and to be discharged from further consideration thereof.

The report was accepted and the committee discharged.

Mr. Marsh, from committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland.

By unanimous consent of the House,

The Speaker announced the following message from the Senate :

SENATE CHAMBER,  
*Lansing, January 26, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the enclosed concurrent resolution, and respectfully to inform the House that the Senate have concurred therein.

I am also instructed to respectfully inform the House that the Senate have appointed Messrs. Wright and Curtenius a committee on the part of the Senate, to act in conjunction with Messrs. Mitchell and McWhorter, appointed on the part of the House, to wait upon Dr. Tappan, and invite him to deliver an address this evening in the Hall of the House of Representatives.

Respectfully, &c.,

O. W. MOORE,  
*Sec'y Senate.*

On motion of Mr. Poppleton,  
The House adjourned.

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*Lansing, January 22, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The journal was corrected and approved.

PETITIONS PRESENTED.

Mr. Thompson presented the petition of 82 citizens of Lenawee county ; of 85 citizens same county.

Mr. Ransom : of Joseph Miller, Jr., and 19 others;

Mr. Poppleton : of 48 not legal voters, and of 21 voters of Oakland county ;

Mr. Ellsworth : of Julia C. Scofield and 73 others of Livingston county;

Mr. Morton : of W. A. Boyd and 31 others of Monroe county, all praying the passage of the Maine law.

Referred to select committee on that subject.

**Mr. Parkhurst :** of Albert Terry and 11 others of Oakland county, praying an appropriation of \$1,000 to aid State Agricultural Society.

Referred to committee on agriculture and manufactures.

**Mr. Murphy :** of Monford Eldred and 27 others of Allegan county, for the discontinuance of a certain road.

Referred to the committee on roads and bridges.

**Mr. Ewing :** of E. B. Tyler and 45 other taxable inhabitants of fractional school district No. 9, Scio and Webster, Washtenaw county, praying for an act authorizing supervisors to assess and collect a certain tax.

Referred to committee on education.

**Mr. Bates :** of Justus Littlefield and 130 others of Monroe county, praying for an amendment to the Mich. Southern Railroad charter.

Referred to the committee on banks and incorporations.

#### REPORTS.

**Mr. Morton,** from committee of ways and means, submitted the following report :

The committee of ways and means, to whom was referred a petition of the board of supervisors of Kent county, for a law requiring the State to furnish every township library the transactions of the State Agricultural Society, report the same back to the House, and ask its reference to the committee on agriculture.

The report was accepted, the committee discharged, and the petition referred to the committee on agriculture and manufactures.

**Mr. Morton,** from the same committee, submitted the following report :

The committee of ways and means, to whom was submitted a memorial of the board of supervisors of Kent county, for a law authorizing justices of the peace and courts to impose a specific sum as costs in certain cases,

Report the same back to the House, and recommend its reference to the judiciary committee.

The report was accepted, the committee discharged and the memorial referred to the committee on judiciary.

**Mr. Morton,** from same committee, submitted the following report:

The committee of ways and means to whom was recommitted



A bill to provide for filing certain reports in the Auditor General's office, and for other purposes,

Report the same back to the House with amendment as instructed.

The report was accepted and the committee discharged,

And the bill ordered engrossed and read a third time.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was recommended Senate bill No. 20, with instructions to incorporate a new section, have directed me as their chairman to report that the same has been done, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged, and the bill entitled

A bill to incorporate the city of Adrian,

Was ordered to be engrossed and read the third time.

Mr. Seymour, from the committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred the petition of Allison Kinne and others, praying for a specific tax on dogs, or their destruction, have had the same under consideration, and report that the act No. 130, entitled an act to provide for the taxation of dogs, and other purposes, approved May 12, 1846, provides a sufficient remedy for the evils complained of in said petition, and they therefore ask to be discharged from the further consideration thereof.

The committee have also had under consideration the

Joint resolution authorizing the board of State Auditors to settle the claim of Andrew Harvie,

And report the same back without amendment and recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged, the joint resolution read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Ransom, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom the accompanying bill was referred, with instructions to amend the ninth section, by adding thereto the words set forth in such instructions, have performed that duty, and now beg leave to report said bill, thus amended, back to the House, and ask to be discharged.

The report was accepted and the committee discharged, when

Mr. Ransom offered the following substitute for the amendment reported by the committee:

Sec. 9. It shall be the duty of the prosecuting attorney of each county to prosecute every violation of the provisions of said chapter which may occur within his county; and if, in any case, he neglect so to do, he shall forfeit the sum of ——— dollars, to be recovered with costs, in an action of debt, by any person who may sue therefor.

Adopted.

On motion of Mr. Ransom,

The blank in the substitute was filled with "500."

The bill entitled a bill to amend section 5, chapter 50, of the revised statutes of 1846, relative to unauthorised banking, &c.,

Was then ordered to be engrossed and read a third time.

Mr. Ellsworth, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was referred a petition of many citizens of Cass county, asking for the passage of a law authorizing them to drain certain swamps and marshes, have had the same under consideration, and think the same should be referred to the committee on State affairs. They therefore report the same back to the House, move that it be so referred, and ask to be discharged.

The report was accepted, the committee discharged, and the petition referred to committee on State affairs.

#### MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
Lansing, January 21, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the Office of the Secretary of State,

An act to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland.

R. McCLELLAND,

Also the following message from the Senate :

SENATE CHAMBER,  
Lansing, January 21, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed respectfully to inform the House that the Senate have concurred in the amendments made by the House to Senate bill No. 8, entitled

A bill making appropriations for the salaries of the State officers for the years 1853 and 1854,

And have ordered the same, as amended, to be enrolled.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

Also the following :

SENATE CHAMBER,  
Lansing, January 21, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

Joint resolution requiring the Trustees of the Michigan Central College, at Spring Arbor, to report as required by the fifth section of the act of incorporation,

Which the Senate have passed by a majority of all the Senators-elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

The joint resolution was ordered to lay over one day, under the rule.

And the following:

SENATE CHAMBER,  
Lansing, Jan. 22, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

Concurrent resolution relative to the committees of the two Houses, to whom has been referred the subject of constructing a ship canal around the Falls of St. Mary's River;

In which I am instructed to inform you the Senate have concurred.  
Also, herewith is transmitted,

A bill to amend section 61, chapter 14 of the revised statutes;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y. Senate.*

The concurrent resolution was ordered to be enrolled; and the bill was read a first and second time and referred to the committee on judiciary.

Also the following:

SENATE CHAMBER,  
*Lansing, Jan. 21, 1853.*

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon; also,

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may exist, or may have occurred in that office;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec. Senate.*

The bills were severally read a first and second time, and each referred to committee on judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ransom offered the following resolution:

*Resolved*, The Senate concurring, that the thanks of the Senate and House be tendered to Dr. Tappan, President of the University

of Michigan, for his very able, eloquent, and interesting address to the Legislature on the subject of the University and its system of education, delivered in this Hall last evening.

Mr. Mitchell moved to suspend the rule in order to put the resolution upon its passage.

Lest.

And the resolution was ordered to lay over one day, under the rule.

Mr. Burt offered the following:

*Resolved*, The Senate concurring herein, that in view of the imminent danger to the safety of the navigation of Lake Superior, in consequence of Stannard's Rock, (so called,) being situated in or near the sailing route between the south east end of Keewenaw Point and the harbors of Grand Island and the River St. Mary's, many miles from land, that our Senators and Representatives in Congress be requested to take the most prompt and efficient measures practicable, to procure a survey of the position and dimensions of said rock, and such other means as shall secure the safety of navigation in its vicinity.

Ordered to lay over one day under the rule.

Mr. Haze offered a joint resolution for donating lands to the landless out of the public domain.

Laid over one day under the rule.

Mr. Ewing offered the following resolution:

*Resolved*, That the committee on public lands be instructed to report back to the House, joint resolution (from the Senate) relative to the public domain, referred to them on the 15th inst.

Adopted.

On motion of Mr. Poppleton,

*Resolved*, That a special committee of three be appointed, to whom the petitions soliciting some action by the Legislature in favor of the pardon of the Central Railroad conspiritors, now in State prison, be referred, with instructions to report thereon at as early a day as practicable.

Mr. Craven, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend sections 21 and 22 of act number 156, of session laws of 1851, which was read a first and second time and referred to the committee on the judiciary.

Mr. Strang, pursuant to previous notice, asked and obtained leave to introduce

A bill to extend and define the boundaries and jurisdiction of certain counties,

Which was read a first and second time and referred to the committee on the organization of towns and counties.

Mr. Strang also gave notice, that he would at some future day, ask leave to bring in

A bill authorizing the construction of a road from Croton, in the county of Newaygo, to the Straits of Mackinaw ; also,

A bill authorizing the construction of a road from the Straits of Mackinac to Sault Ste Marie, in the county of Chippewa ; and

A bill to authorize the construction of a road from the mouth of Mannistique River to Grand Island Harbor, in Lake Superior.

Mr. Ely gave notice that at some future day he should ask leave to introduce a bill to amend the act entitled an act to incorporate the Cleveland Iron Mining Company of Michigan.

Mr. Mitchell gave notice that he would on some future day, ask leave to introduce

A bill to amend the Port Huron and Lake Michigan Railroad charter.

Mr. Ewing gave notice that on some future day, he would ask leave to introduce

A bill authorizing the supervisors of the townships of Scio and Webster, in the county of Washtenaw, to raise two hundred dollars (\$200) by assessment of all the taxable property in fractional school district number 9, in said township, and to authorize the township treasurer of said townships to collect the same.

Mr. O'Callaghan gave notice that he would on some future day, ask leave to introduce

A bill supplementary to the school laws.

Mr. Ellsworth, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend sections 54, 55, 58, 59, and 60, of chapter 98, of the revised statutes of 1846.

Read a first and second time and referred to committee on judiciary.

Mr. Craven gave notice that he would, at some future day, bring in a bill to amend section 11, clause 15, of act 156 of session laws of 1851.

Mr. Parkhurst moved that the report of the judiciary committee offered the 19th in relation to amendments of the charters of railroad companies be taken from the table and five hundred extra copies in addition be ordered printed.

Lost.

On motion of Mr. Ransom,

*Resolved*, That on and after Monday next, this House will hold two sessions each day, commencing at nine o'clock, A. M., and sitting till half past twelve, M., if to that time, there be business on our table, and again commencing at two o'clock, and sitting till 5 o'clock P. M., if we have unfinished business before us, to that hour.

Mr. Sherman gave notice that on some future day, he would ask leave to introduce a joint resolution relative to the payment of the Indians at L'Ance in the county of Houghton.

On motion of Mr. Warner,

*Resolved*, That the committee on the judiciary be instructed to inquire into the propriety of bringing in

A bill designating what articles of personal property are to be included in the amount of exemption provided for by section 1 of article 16 of the constitution.

#### THIRD READING OF BILLS.

The bill to provide for a sinking fund,

Was read a third time and passed, by the following vote:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Hudson,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Root,

|                |              |             |    |
|----------------|--------------|-------------|----|
| Canfield,      | Irwin,       | Seymour,    |    |
| Chapel,        | Jennison,    | Sherman,    |    |
| Craven,        | Jones,       | Sheldon,    |    |
| Davis,         | Lathrop,     | Shoemaker,  |    |
| Ellsworth,     | Lovell,      | Smith,      |    |
| Ely,           | McDougall,   | Strang,     |    |
| Ewing,         | McWhorter,   | Sutherland, |    |
| Fitch,         | Marsh,       | Thompson,   |    |
| Fitzsimmons,   | Matthews,    | Toll,       |    |
| Frey,          | H. Miller,   | Traver,     |    |
| Gale,          | Mitchell,    | Warner,     |    |
| J. Gleason,    | Norton,      | Winters,    |    |
| J. P. Gleason, | O'Callaghan, | Worden,     | 63 |
|                | NAYS:        |             | 0  |

## UNFINISHED BUSINESS.

The bill to organize the county of Cheboygan, the amendments thereto in committee of the whole being concurred in by the House, was ordered to be engrossed and read the third time.

The bill relative to the bonds of banks deposited in the Treasury of the State;

The bill to change the name of the township of Northampton in the county of Saginaw; and

The bill to amend section 24, chapter 16, revised statutes of 1846, reported back by committee of the whole without amendment, were severally ordered to be engrossed and read a third time.

The amendments reported by committee of the whole, to the bill to amend section 14 and 15 of act No. 156, session laws of 1851, were severally concurred in, when

Mr. Richardson offered the following amendment thereto:

Amend section 1 by adding at the end thereof, as follows: "Provided, That the boundaries of no organized township shall be altered unless by a vote of a majority of the taxable voters of such township, and such board shall have power to make all needful regulations for submitting any such question to the people."

Lost.

A bill to amend section 1, act No. 156, session laws of 1851, defining the powers and duties of boards of supervisors,

On motion of Mr. Mitchell,

Was ordered laid on the table.



A bill to amend chapter 15, revised statutes of 1846, there being no amendments thereto, was ordered to be engrossed and read the third time.

The amendments to the bill to provide for taking the census and statistics of this State, made in committee of the whole, were concurred in.

Pending the question of its engrossment for a third reading,

Mr. Lovell offered the following amendment thereto:

Insert in section , line 5, after "year," the words "the number of acres, and the number of bushels of corn harvested the preceding year."

Also, strike out of line 7, section 2, the words "clip of," and insert "sheared;" and strike out "sheared," in line eight of same section.

Adopted.

Mr. Reno offered the following:

Section 2, line 13, after "year," insert "the number of oil mills, and the number of gallons of oil; the number of breweries and the number of barrels of beer; the number of distilleries and the number of gallons of liquor, the number of gallons of wine, and the number of barrels of cider made, and the number of barrels of fish caught the preceding year."

Adopted.

Mr. Ellsworth then offered the following:

Add to last section: "Provided, That in counties having less than 5,000 inhabitants, the supervisor in each town, shall be entitled to three dollars for taking the census and statistics in his town, extra."

Adopted.

Mr. Ewing offered the following:

In section 3, line 3, after "1854," add "and every tenth year thereafter."

Adopted.

The bill was then ordered to be engrossed and read the third time.

A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Was taken up; and the question being on concurring in the amendments reported by committee of the whole,

On motion of Mr. Traver,

The same were concurred in in gross.

Mr. Haight offered the following amendment:

Insert "Normal," after "University," in line one, section 11.

Agreed to.

Mr. Reno offered the following:

Section five, line sixteen, strike out "incorporated," and insert "organized."

Lost.

Line 19, same section, after "therein," insert "and the parsonage thereon."

Lost.

After "dead," in line 20, same section, insert "with the ground appropriated for the same."

Adopted.

On motion of Mr. Ellsworth;

All after the word "purpose," in line 18, in said section, was stricken out, and "aforesaid," added.

Mr. Ewing offered the following:

Insert after the word "thereon," "which shall in no case exceed five acres of land, nor be worth over one thousand dollars."

Lost.

Mr. Seymour moved that the bills number 7 and number 11 be recommitted to the committee of ways and means, with instructions to engraft the provisions of bill number 11 in number 7, and to make such alterations as are necessary to perfect their provisions and make them harmonize.

Lost.

Mr. Strang offered the following:

Section 8, line 5, after "shop," insert "place of business."

Adopted.

Mr. Fitch offered the following:

Section 26, strike out in fifth line, the words "in October," and insert "annual;" section 31, strike out in second line the word "October," and insert "annual;" section 31, strike out in first line the words "in October;" section 34, strike out in first line "October," and insert "November;" and in third line strike out "November,"

and insert "December;" in section 35 strike out "November" in fourth line, and insert "December;" in section 36 strike out "November" in first line, and insert "December."

The question was then first taken on the first part thereof, to wit: to strike out in line 5, section 26, "October," and insert "annual," and the same disagreed to.

Mr. Fitch then withdrew the other amendments.

Mr. Griswold moved that the House take a recess until 2 o'clock.

Mr. Ransom moved that the House adjourn until 2 o'clock.

Mr. Parkhurst moved that the House do now adjourn.

Lost.

The question was then taken on the motion of Mr. Ransom, and the same prevailed.

### *Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called; a quorum present.

#### PETITIONS.

Mr. Smith presented the petition of citizens of Kent county;

Mr. Green: of E. Follett Bull and 11 others, not voters; of Nathan Boodry and 7 other voters; of Irene Town and 64 others, not voters; of Nathan Town and 40 other voters; of Lydia Boodry and 9 others, not voters, of Lenawee county, all asking for the passage of the Maine liquor law.

Referred to the special committee on that subject.

#### REPORTS.

Mr. Smith, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred a joint resolution relative to the public domain, have have the same under consideration, report it back without amendment, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the joint resolution referred to committee of the whole and placed on the general order.

## MESSAGES.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 21, 1883. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

Joint resolution relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan;

And I am instructed respectfully to inform the House that the Senate have concurred therein.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

The joint resolution was ordered enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ransom moved a suspension of the rule fixing the number of the standing committees, and that the Speaker appoint an additional member to the judiciary committee.

Agreed to.

The Speaker announced Mr. Sutherland, as such additional member.

## UNFINISHED BUSINESS.

Under the order of unfinished business,

A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Was taken up, and the question thereon being on its engrossment for a third reading,

On motion of Mr. Fitch,

The bill was re-committed to the committee of ways and means, with instructions to strike out all the amendments made thereto, by the following vote :

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,

Mr. Ewing,  
Fitch,  
Gale,  
John P. Gleason,  
Goff,  
Gregory,

Mr. Marsh,  
Matthews,  
H. Miller,  
Murphy,  
Norton,  
Palmer,

|            |            |             |    |
|------------|------------|-------------|----|
| Bonine,    | Gulick,    | Parkhurst,  |    |
| Burt,      | Haight,    | Poppleton,  |    |
| Cumfield,  | Hand,      | Ransom,     |    |
| Chapel,    | Haze,      | Richardson, |    |
| Craven,    | Jennison,  | Root,       |    |
| Davis,     | Lathrop,   | Smith,      |    |
| Ellsworth, | McDougall, | Sutherland, |    |
| Ely,       | McWhorter, | Speaker,    | 42 |

## NAYS:

|                 |                  |             |    |
|-----------------|------------------|-------------|----|
| Mr. Chittenden, | Mr. O'Callaghan, | Mr. Strang, |    |
| Frey,           | Reno,            | Toll,       |    |
| James Gleason,  | Renwick,         | Traver,     |    |
| Green,          | Rider,           | Warner,     |    |
| Irwin,          | Seymour,         | Winters,    |    |
| Lovell,         | Sherman,         | Worden,     |    |
| C. L. Miller,   | Sheldon,         |             | 20 |

The House then went into committee of the whole on the general order,

Mr. Chittenden in the chair.

After spending some time thereon the committee rose and by their chairman reported back to the House that they had had under consideration,

A bill for the construction of a ship canal around the Falls of St. Mary's River.

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

Mr. Morton, from committee of ways and means, by unanimous consent, submitted the following report :

The committee of ways and means, to whom was referred

A bill to provide for assessing property at its true value, and for levying and assessing taxes thereon,

With instructions to strike out certain amendments, have discharged the duty assigned them, and report the same back to the House.

The report was accepted, the committee discharged, and the bill ordered to be engrossed and read the third time.

Mr. Mitchell moved to take from the table Senate bill to repeal the act entitled an act to incorporate the Adrian Insurance Company.

Agreed to.

When, on motion of Mr. Mitchell,  
The bill was indefinitely postponed.

On motion of Mr. Morton,  
The House adjourned.

---

*Lansing, January 24, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Mitchell,

The correction of the journal of Saturday was postponed until to-morrow.

#### PETITIONS.

Mr. Ewing presented the petition of D. D. Sloan and 15 others ; of James R. Price and 11 others, of the township of Dexter ; of H. N. Seymour and 36 others ; of T. Hoskins and 29 others, of the township of Scio ; of J. B. Lamphear and 17 others, and of Lavina Lamphear and 74 infants, of Webster, all of Washtenaw Co., praying for a liquor law like the one now in force in the State of Maine.

Referred to the select committee on that subject.

Mr. Poppleton : of B. D. Worthington, J. V. Armstrong and 65 others, voters of Oakland county ; same prayer.

Same reference.

Mr. Fitzsimmons : of Daniel Beebe and others, asking an amendment to the charter of the village of Hillsdale ; and the remonstrance of H. B. Armstrong and others, of Hillsdale county, against any further amendments to the charters of the Central or Southern Rail Road companies, except under certain restrictions.

Referred to committee on banks and incorporations.

Mr. Green : of J. H. Parker and others, asking the repeal of all laws conferring on the husband authority over the person or property of the wife, and for other purposes.

Referred to committee on the judiciary.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,  
Lansing, January 24, 1853. }

*To the Senate and House of Representatives :*

I most respectfully call your attention to that part of my message which relates to banking corporations. The tax is payable this month, and the State officers should be relieved from the doubts and uncertainties that have heretofore existed. The banks should not have the entire control in fixing the amount to be paid. I am informed by the State Treasurer that the Government Stock Bank has paid its tax for the past year, in conformity with the principles of the message, and why should not the others ?

The surplus in the treasury is large and increasing. It is now deposited in banks ; and if the practice is to be continued, ample security, in my judgment, should be required for its prompt payment.

I am prepared to nominate to a joint convention of both branches of the Legislature, an Adjutant General.

R. McCLELLAND.

Mr. Ewing moved that it be laid on the table and 500 copies ordered printed.

Mr. Warner moved that 480 only, be printed ; when

On motion of Mr. Mitchell,

The message was ordered laid on the table and printed.

Also the following from the Senate :

SENATE CHAMBER,  
Lansing, January 21, 1853. }

*To the Speaker of the House of Representatives :*

SIR—Herewith is returned

A bill to repeal an act to incorporate the Adrian Insurance Company, approved April 17, 1839;

In which the Senate have concurred by a majority vote of all the Senators elect; also,

A bill to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852,

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect.

I am also instructed to inform the House that the Senate have concurred in the amendments made by the House to the following bill, viz:

A bill ceding to the United States jurisdiction over divers tracts of land, for light houses, and have ordered the same as amended, enrolled.

I also herewith transmit,

A bill to amend section 2 of chapter 9 of the revised statutes of 1846;

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

*Sec. Senate.*

The two bills first named were ordered to be enrolled.

The bill to amend section 2 of chapter 9 of the revised statutes of 1846, was read a first and second time and referred to the committee on the judiciary.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitzsimmons gave notice that on some future day he would ask leave to introduce

A bill to establish police regulations for the preservation of lives and property on railroads, and to impose certain duties upon railroad companies.

Mr. Ewing, pursuant to previous notice, leave being granted, introduced

A bill to authorize the supervisors of the townships of Soio and Webster, in the county of Washtenaw, to raise \$200 by an assessment on all taxable property in fractional school district number 9, in said townships, and to authorize the township treasurers of said townships to collect and pay over the same.

Read a first and second time and referred to the committee on education.

Mr. Poppleton, pursuant to previous notice, leave being granted, introduced

A bill regulating and defining the fees of the judges of the court of probate.



Read a first and second time and referred to the committee on the judiciary.

Mr. Fitch offered the following joint resolution:

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the Superintendent of Public Instruction is hereby authorized and instructed to cause to be published his annual report for the year 1853, and to distribute the same as follows: one to each organized school district in the State; one to each township clerk in the State, and one to each county clerk.

Ordered laid over one day, under the rule.

Mr. Mitchell, on leave, pursuant to previous notice, introduced

A bill to amend section three of an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company.

Read a first and second time and referred to committee on banks and incorporations.

Mr. C. L. Miller gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out private roads.

Mr. Ely gave notice that at some future day he should ask leave to introduce

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

Joint resolution relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan; also,

An act to repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839; and

An act to extend the time for the collection of taxes in the township of Heath, county of Allegan, for the year 1852.

#### THIRD READING OF BILLS.

A bill to incorporate the city of Adrian, was read a third time, when

The Speaker asked the unanimous consent of the House to add a new section thereto, as follows, to wit:

Sec. 33. All acts incorporating the village of Adrian, and all acts amendatory thereto, are hereby repealed.

Agreed to.

The bill was then passed, by the following vote:

**YEAS:**

|                |                    |             |    |
|----------------|--------------------|-------------|----|
| Mr. Adams,     | Mr. J. P. Gleason, | Mr. Ransom, |    |
| Arnold,        | Goff,              | Reno,       |    |
| Bailey,        | Gregory,           | Renwick,    |    |
| Bates,         | Griswold,          | Richardson, |    |
| Benedict,      | Gulick,            | Rider,      |    |
| Bristol,       | Haight,            | Root,       |    |
| Bonine,        | Hand,              | Seymour,    |    |
| Burt,          | Haze,              | Sherman,    |    |
| Canfield,      | Irwin,             | Shelden,    |    |
| Chapel,        | Jones,             | Shoemaker,  |    |
| Craven,        | Lathrop,           | Smith,      |    |
| Davis,         | McDougall,         | Strang,     |    |
| Ellsworth,     | McWhorter,         | Thompson,   |    |
| Ely,           | Matthews,          | Toll,       |    |
| Ewing,         | Murphy,            | Traver,     |    |
| Fitzsimmons,   | Norton,            | Warner,     |    |
| Frey,          | O'Callaghan,       | Winters,    |    |
| Gale,          | Parkhurst,         | Worden,     |    |
| James Gleason, | Poppleton,         | Speaker,    | 57 |

**NAYS:**

|            |               |   |
|------------|---------------|---|
| Mr. Green, | Mr. Jennison, | 2 |
|------------|---------------|---|

On motion of Mr. Goff,

The bill was then ordered to take effect immediately by a vote of two-thirds of all the members elected to the House.

The bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking, was read the third time and passed as follows :

**YEAS:**

|            |              |                  |
|------------|--------------|------------------|
| Mr. Adams, | Mr. Gregory, | Mr. O'Callaghan, |
| Arnold,    | Griswold,    | Palmer,          |
| Bailey,    | Gulick,      | Poppleton,       |
| Benedict,  | Haight,      | Ransom,          |
| Bristol,   | Hand,        | Reno,            |
| Bonine,    | Haze,        | Renwick,         |
| Canfield,  | Irwin,       | Richardson,      |
| Chapel,    | Jennison,    | Rider,           |
| Craven,    | Jones,       | Root,            |
| Davis,     | Lovell,      | Seymour,         |
| Ellsworth, | McDougall,   | Sherman,         |

Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,

McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Sheldon,  
Shoemaker,  
Smith,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

57

## NAYS:

Mr. Bates,  
Ely,  
Green,

Mr. C. L. Miller,  
Parkhurst,  
Strang,

Mr. Thompson,  
Winters,

8

The bill relative to the bonds deposited by banks in the Treasury of this State,

Was read the third time and passed by the following vote :

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
John P. Gleason,  
Goff,  
Gregory,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

63

## NAYS:

0

A bill to amend section 24 of chapter 16 of the revised statutes of 1846, entitled of the powers and duties of townships and elections, and duties of township officers,

Was read a third time and passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,

Mr. Griswold,  
Gulick,

Mr. Parkhurst,  
Poppleton,

Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
John P. Gleason,  
Goff,  
Green,

Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

63

## NAYS:

On motion of Mr. Mitchell,

The bill was then ordered to take effect immediately, by a vote of two-thirds of all the members elected to the House.

A bill to organize the county of Cheboygan, was then read the third time and passed, as follows:

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. John P. Gleason, Mr. Palmer,  
Goff,  
Green,  
Griswold,  
Gulick,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
Mitchell,  
Morton,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,

Gale,  
J. Gleason,

Norton,  
O'Callaghan,

Worden,  
Speaker,

60

NAYS :

0

On motion of Mr. Strang,

It was then ordered that said bill take effect immediately.

The bill to amend section 14 and 15 of act number 156, session laws of 1851, was read the third time, and

On motion of Mr. Richardson,

Was recommitted to the committee on judiciary, with instructions to enquire into the expediency of adding the following to section 14, to wit :

*Provided*, That the board of supervisors shall in no case reduce any existing township to less than 36 sections, according to the U. S. survey, nor erect any new townships of less than 36 sections.

The bill to change the name of the township of Northampton, in the county of Saginaw, was then read the third time, and passed as follows :

YEAS.

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Gulick,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Richardson,  
Saymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

58

NAYS.

Mr. Ewing,  
Haight,

Mr. C. L. Miller,

Mr. Renwick,

4

A bill to amend chapter 15 of the revised statutes of 1846, was read the third time and passed, by the following vote:

## YEAS :

Mr. Adams,  
 , Arnold,  
 Bailey,  
 Bates,  
 Benedict,  
 Bristol,  
 Bonine,  
 Burt,  
 Canfield,  
 Chapel,  
 Craven,  
 Davis,  
 Ellsworth,  
 Ely,  
 Ewing,  
 Fitch,  
 Fitzsimmons,  
 Frey,  
 Gale,  
 J. P. Gleason,  
 Goff,

Mr. Gregory,  
 Green,  
 Griswold,  
 Gulick,  
 Haight,  
 Hand,  
 Haze,  
 Jennison,  
 Jones,  
 Lovell,  
 McDougall,  
 McWhorter,  
 Matthews,  
 H. Miller,  
 C. L. Miller,  
 Mitchell,  
 Morton,  
 Murphy,  
 Norton,  
 Palmer,

Mr. Parkhurst,  
 Poppleton,  
 Ransom,  
 Reno,  
 Renwick,  
 Richardson,  
 Root,  
 Seymour,  
 Sheldon,  
 Sherman,  
 Shoemaker,  
 Smith,  
 Strang,  
 Thompson,  
 Toll,  
 Traver,  
 Warner,  
 Winters,  
 Worden,  
 Speaker,

61  
 0

## NAYS :

And, on motion of Mr. Warner,

Was ordered to take effect immediately by a two-thirds vote of all the members elected to the House.

A bill to provide for taking the census and statistics of this State, was taken up for a third reading, when

Mr. Ellsworth asked and obtained the unanimous consent of the House, to offer the following amendment, to wit:

Insert after "land," in fourth line of section 3, "the whole number of acres of land owned by individuals or companies, not taxable."

Adopted.

The bill was then read the third time and passed, as follows:

## YEAS :

Mr. Adams,  
 Arnold,  
 Bailey,  
 Bates,  
 Bristol,  
 Bonine,  
 Burt,  
 Canfield,

Mr. Goff,  
 Gregory,  
 Gulick,  
 Haight,  
 Hand,  
 Haze,  
 Jennison,  
 Jones,

Mr. Norton,  
 Palmer,  
 Poppteton,  
 Ransom,  
 Richardson,  
 Rider,  
 Seymour,  
 Sheldon,

Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,

Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Mathews,  
H. Miller,  
C. L. Miller,  
Morton,  
Murphy,

Shoemaker,  
Smith,  
Strang,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

52

## NAYS :

Mr. Benedict,  
Chapel,  
Green,

Mr. Marsh,  
Mitchell,  
Parkhurst,

Mr. Renwick,  
Sherman,  
Thompson,

9

A bill to provide for filing certain reports in the Auditor General's office, and for other purposes,

Was read the 3d time and passed by the following vote :

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Goff,

Mr. Gregory,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

58

## NAYS :

0

The bill to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Was taken up for a third reading, when

Mr. Sherman moved that it be recommitted to the committee of the whole with instructions.

Lost.

Mr. Parkhurst moved to lay the bill on the table.

Lost.

Mr. Ellsworth moved to re-commit to the committee on banks and incorporations.

Lost.

The bill was then read the third time and passed by the following vote :

YEAS :

|                |               |             |
|----------------|---------------|-------------|
| Mr. Adams,     | Mr. Griswold, | Mr. Palmer, |
| Arnold,        | Gulick,       | Parkhurst,  |
| Bailey,        | Haight,       | Poppleton,  |
| Bates,         | Hand,         | Ransom,     |
| Benedict,      | Haze,         | Richardson, |
| Bristol,       | Irwin,        | Rider,      |
| Bonine,        | Jennison,     | Root,       |
| Burt,          | Jones,        | Seymour,    |
| Canfield,      | Lathrop,      | Sheldon,    |
| Chapel,        | Lovell,       | Shoemaker,  |
| Craven,        | McDougall,    | Smith,      |
| Davis,         | McWhorter,    | Strang,     |
| Ellsworth,     | Marsh,        | Thompson,   |
| Ewing,         | Mathews,      | Toll,       |
| Fitch,         | H. Miller,    | Traver,     |
| Fitzsimmons,   | C. L. Miller, | Warner,     |
| Frey,          | Mitchell,     | Winters,    |
| Gale,          | Morton,       | Worden,     |
| J. P. Gleason, | Murphy,       | Speaker,    |
| Goff,          | Norton,       |             |

59

NAYS :

|                    |                  |              |
|--------------------|------------------|--------------|
| Mr. James Gleason, | Mr. O'Callaghan, | Mr. Renwick, |
| Gregory,           | Reno,            | Sherman,     |
| Green,             |                  |              |

7

On motion of Mr. Morton,

It was then ordered to take effect immediately by a vote of two-thirds of all the members elected to the House.

On motion of Mr. Toll,

The House adjourned.

*Afternoon Session.*

2 o'clock

The House met pursuant to adjournment, and was called to order by the Speaker.



The roll was called and a quorum found to be present.

The Speaker announced Messrs. Poppleton, Sherman and Root, as the special committee on the petitions for the pardon of the Central Railroad prisoners.

#### PETITIONS PRESENTED.

Mr. Seymour presented the petitions of 30 inhabitants and 28 voters, of Grand Blanc; of 130 inhabitants and 54 voters, of Flint, all praying for the passage of the Maine law.

Referred to the special committee on that subject.

#### MESSAGES.

The following message was announced from the Governor;

EXECUTIVE OFFICE,  
Lansing, Jan. 24, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan.

R. McCLELLAND.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Lansing, January 24, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to amend an act entitled an act to provide for holding terms of the District Court in the Upper Peninsula, approved June 28, 1851; also

A bill to provide for the payment of the expenses of the State government;

In which I am instructed to inform the House the Senate have concurred by a majority vote of all the Senators elect; also,

A bill to amend chapter 48, section 9 of the revised statutes of 1846;

In which I am also instructed to inform the House the Senate have concurred by a vote of two-thirds of all the Senators elect; also,

Joint resolution relative to the claim of the State against A. St. Amant, late treasurer of Genesee county;

In which I am also instructed to inform the House the Senate have concurred by a majority vote of all the Senators elect.

Yours, &c.,

O. W. MOORE,  
*Sec. Senate.*

The bills and joint resolution were severally ordered to be enrolled.

The Speaker announced the following:

OFFICE OF THE SECRETARY OF STATE, }  
*Lansing, January 24, 1858.*

To the Hon. D. G. QUACKENBOSCH,

*Speaker of the House of Representatives:*

SIR—I have the honor to transmit herewith a communication from James D. Wright, of Springfield, Illinois, to the Honorable the Legislature of the State of Michigan.

Very respectfully,

Your ob't serv't,

WM. GRAVES,  
*Secretary of State.*

The communication of James D. Wright was referred to the committee on State affairs.

Under the order of unfinished business, the joint resolution relative to a survey of Stannard's Rock, in Lake Superior, was taken up and passed.

The concurrent resolution extending a vote of thanks to Doctor Tappan, was taken up and adopted.

Joint resolution for donating lands to the landless out of the public domain, was taken up, and

On motion of Mr. Mitchell,

Referred to committee on federal relations.

The Senate joint resolution requiring the Trustees of the Michigan Central College, at Spring Arbor, to report as required by the fifth section of the act of incorporation, was passed.

The House then went into committee of the whole on the general order,

Mr. Fitch in the chair.

After spending some time thereon, the committee rose, and by their chairman, reported back to the House, without amendment,

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm;

A bill to organize the county of Emmet; and

A bill to organize the township of Drummond; also,

A bill to amend section 6 of chapter 11, title 2 of the revised statutes of 1846; and

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores, or other mechanical business;

Each with amendments in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged; when,

On motion of Mr. Mitchell,

The House adjourned.

---

*Lansing, January 25, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and a quorum of members was found to be present.

The journal of yesterday was read, corrected and approved.

#### PETITIONS.

Mr. Fitch presented the petition of Eli L. Morse and 54 legal voters, and of 90 persons not voters, of Meridian, Ingham county:

Mr. Griswold: of Burton Jarvis, Levi Sparks and 28 other voters, and of 31 persons not voters, of Niles;

Mr. McWhorter: of Eliza Barber, Mary F. Halbut and 19 others of Grass Lake;

Mr. Morton: of Mrs. Stuart, Miss H. M. Ward and 134 others of Detroit; of S. M. Sacket, R. R. Reid and 170 others of Monroe; of R. M. M. Southworth, Mrs. Thurber, Mrs. Bacon and 90 others; of Mary Herkimer, John E. Willard and 60 others of Exeter, and of Miss A. J. Wells and 60 others of Monroe;

Mr. Lathrop: of James Hills, E. B. Hough and 133 other voters; of Julia A. Kendrick, Mila Eldridge, and 63 other ladies; of John

H. Foot and 20 other voters; and of Martha Webster, Charlotte Deming and 36 others, ladies of Lapeer county; all praying for the passage of the Maine liquor law.

Referred to the select committee on that subject.

Mr. Toll: of Samuel Gordon, C. D. Little, D. S. Johnson and others, praying that the prayer of the petition asking for authority of the board of supervisors of Saginaw county, to issue bonds of said county, for a loan of \$15,000 be refused.

Referred to select committee on that subject.

Mr. Chittenden: of certain brokers in the city of Detroit, remonstrating against a specific tax upon the brokerage business.

Referred to the committee on banks and incorporations.

Mr. Mitchell: of Simon Petit and 258 others, and

Mr. Ransom: of 132 citizens of Kalamazoo, praying for change in school laws;

Severally referred to committee on education.

#### REPORTS.

Mr. Parkhurst, from committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred a bill to amend section 27 of an act to provide for the formation of companies to construct plank roads, passed April 8, 1851, have had the same under consideration and report the same back and recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

The bill was read a first and second time and referred to the committee of the whole and placed on the general order.

Mr. H. Miller, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred a bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes, have considered the same, and report that the Legislature of 1847 passed a law to provide for draining swamps, marshes and other low lands, which require delinquent taxes, accruing under it, to be returned to the Auditor General like other taxes, pursuant to the revised statutes. Taxes under this law were so re-

turned by the county of Monroe, in strict accordance with its provisions ; and such returns were received at the Auditor General's Office March 19, 1848, when it was the duty of the Auditor General to credit the same to the county of Monroe ; but this duty was neglected, and on the 3d of April following, after the returns were made in pursuance of law, an amendatory act was passed, by which the Auditor General was instructed not to credit counties with such tax returns, which amendment would have no reference to returns made in pursuance of the law of 1847, before its amendment.

This bill requires the Auditor General to carry out the provisions of the law of 1847, obligatory upon the State, by crediting the county with the returns, which the predecessor of the present Auditor General neglected to do ; and in consequence of which the State and county have conflicting difficulties, making it impossible for the State to give a good tax title. The committee believe the State should credit the county, in pursuance of the State law of '47, requiring such returns, thus doing away the difficulty under which the State is placed, and enabling the State to sell the lands for the taxes due. The amount must eventually, as the lands are sold, return to the State. The committee therefore report the bill back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on education, reported

A bill to amend section 22 of chapter 58 of the revised statutes of 1846.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on federal relations, submitted the following report:

The committee on federal relations, to whom was referred joint resolution for donating lands to the landless out of the public domain, have had the same under consideration, and have instructed me as their chairman, to report the same back, recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the joint resolution referred to committee of the whole and placed on the general order.

Mr. Traver, from the committee on roads and bridges, submitted the following report:

Your committee to whom was referred the petition of Milfred Eldred and others, praying for the discontinuance of a certain road in the township of Martin, in Allegan county, have had the same under consideration, beg leave to report the accompanying bill, and ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, and the bill, entitled

A bill to discontinue a certain road in the town of Martin, in the county of Allegan,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Gregory, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and presented to the Governor yesterday, for approval,

Joint resolution relative to the claim of the State against A. St. Amand, late treasurer of Genesee county; also,

An act to amend an act entitled an act to provide for holding terms of the district court in the Upper Peninsula, approved June 28, 1851; also,

An act to provide for the payment of the expenses of the State government; also,

An act to amend section 1, chapter 48, title 9 of the revised statutes of 1846.

#### MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
Lansing, Jan. 24, 1858. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839.

An act to extend the time for the collection of taxes in the township of Heath, county of Allegan, for the year 1852.

R. McCLELLAND.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. O'Callaghan, pursuant to previous notice, asked and obtained leave to introduce

A bill supplementary to the common school laws.

The bill was read a first and second time and referred to the committee on education.

Mr. Fitzsimmons, pursuant to previous notice, asked and obtained leave to take from the files of the session of 1851, and introduce to the present House,

A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes.

The bill was read a first and second time and referred to the committee on banks and incorporations.

Mr. Mitchell offered the following resolution:

*Resolved*, That the use of this Hall be granted to the Kalamazoo Glee Club, in which to give two concerts, on Wednesday and Thursday evenings of this week.

Mr. Poppleton moved to amend by striking out "Kalamazoo Glee Club," and inserting "Ethiopian Minstrels."

Lost.

The resolution was then adopted.

Mr. Perkhurst gave notice that he should on some future day ask leave to introduce a joint resolution.

Mr. Griswold offered the following resolution:

*Resolved*, That the use of this Hall on Friday evening next, be given to Capital Lodge No. 45, of the Independent Order of Odd Fellows, of this place, for the purpose of a public address by Hon. John N. Ingersoll, on the rise and progress of the order.

Mr. Poppleton moved to lay it on the table.

Lost.

The resolution was then adopted.

Mr. Ely, pursuant to previous notice, asked and obtained leave to introduce

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof.

The bill was read a first and second time and referred to the committee of ways and means.

Mr. Thompson offered the following preamble and resolution:

*Whereas*, It is currently reported and believed that certain banking institutions of this State are issuing their bank notes without sufficient security to the bill holders for the redemption of their issues; now therefore

*Resolved*, That the committee on banks and incorporations be directed to ascertain if any of the banks within this State are so issuing bills as money, without security to the bill holders, and report thereon as soon as practicable.

Adopted.

On motion of Mr. Gregory,

*Resolved*, That the committee on printing be instructed to procure the printing of four hundred and eighty additional copies of the State Journal, Extra, for the use of the officers and members of this House, during the remainder of the session.

Mr. Strang, pursuant to previous notice, asked and obtained leave to introduce

A bill authorizing the construction of a road from Croton, in the county of Newaygo, to the Straits of Mackinac.

Read a first and second time and referred to committee on internal improvements.

#### UNFINISHED BUSINESS.

Under this order, the House took up the

Joint resolution authorizing the Superintendent of Public Instruction to publish and distribute his annual report for the year 1852; and passed the same.

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, or silver ores, reported back by committee of the whole, with sundry amendments thereto, the amendments having been,

On motion of Mr. Mitchell,



Concurred in in gross, was ordered to be engrossed and read the third time.

The amendments to the bill to amend section 6 of chapter 11, title 2 of the revised statutes of 1846, were severally concurred, in and the bill ordered to be engrossed and read the third time.

The bill to organize the county of Drummond, reported back by committee of the whole without amendment, was ordered to be engrossed and read the third time.

The bill to organize the county of Emmet, being under consideration,

Mr. Mitchell moved to strike out section 9 thereof.

Pending which,

Mr. Strang offered the following amendment to section 9, as a substitute for the motion of Mr. Mitchell, to wit:

Strike out after "county," where it last occurs in section 9, first line, and insert "shall be fixed by the board of supervisors of said county."

Accepted by Mr. Mitchell, and the amendment adopted.

Mr. Poppleton then offered the following amendment:

Section 8, line 4, strike out "all purposes," and insert "judicial purposes."

Lost.

Mr. Poppleton also offered the following:

Add in section 7, line 4, after "county," the words "for all judicial purposes."

Lost.

Mr. Fitzsimmons moved to recommit the bill to the committee on the organization of towns and counties.

Lost.

The bill was then ordered to be engrossed and read the third time.

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm,

Reported back by the committee of the whole without amendment, was ordered to be engrossed and read the third time.

The House then went into committee of the whole, on the general order,

Mr. Ewing in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House that they had had under consideration,

A bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Upon which they had made some progress, asked leave to sit again thereon, and to be discharged from the present consideration thereof.

The report was accepted, leave granted, and the committee discharged; when,

On motion of Mr. Marsh,

The House adjourned.

---

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

PETITIONS.

Mr. Fitch presented the petition of the Trustees of the First Baptist Church and Society of Lansing, for the exchange of a church lot.

Referred to the committee on public lands.

REPORTS.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred the petition of the President, Trustees, and other citizens of the village of Hillsdale, have had the same under consideration, and have directed me as their chairman, to report the same back accompanied by a bill, recommend its passage, and ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, the bill read a first and second time, and referred to the committee of the whole and placed on the general order.

The following message was announced from the Governor:

EXECUTIVE OFFICE, }  
Lansing, January 24, 1853. }

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend the act entitled an act to provide for holding terms of the district court in the Upper Peninsula, approved June 28, 1851,

An act to provide for the payment of the expenses of the State government,

An act to amend section 1, chapter 48, title 9, of the revised statutes of 1846.

Joint resolution relative to the claim of the State against A. St. Amand, late treasurer of Genesee county.

R. McCLELLAND.

And the following from the Senate:

SENATE CHAMBER, }  
Lansing, January 25, 1853. }

To the Speaker of the House of Representatives:

Sir—Herewith is transmitted,

A bill to provide for the construction of a ship canal around the Falls of St. Mary,

Which the Senate have passed by a two-thirds vote of all the Senators elect, and by a like vote have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Sec. Senate.

The bill was twice read and referred to the committee on internal improvement.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. O'Callaghan introduced joint resolutions to amend section 47 of article 43 of the constitution.

Read a first and second time and ordered laid over one day.

Mr. Fitch offered the following joint resolution:

Resolved, That the Secretary of State be and he is hereby autho-

rized and directed to issue a deed for the conveyance of lot number one, (1) on block numbered ninety-five, (95) on section sixteen in the village of Lansing, to the trustees of the First Baptist Church and Society, of said village, for the purpose of a church lot; upon the express condition that said trustees surrender to the State of Michigan, the deed by which the State of Michigan conveyed to said trustees lot number one, (1) of block one hundred and twenty-six, (126.)

Ordered laid over one day under the rule.

Mr. Sherman, pursuant to previous notice, on leave, introduced Preamble and joint resolutions relative to the Chippewa Indians of Lake Superior.

Read a first and second time and referred to committee on judiciary.

Mr. Craven, pursuant to previous notice, on leave, introduced

A bill to amend section 11, clause 15, of act 156, of the session laws of 1851.

Read a first and second time and referred to the committee on judiciary.

Mr. Toll gave notice that he would, at some future day, ask leave to introduce

A bill to amend act 152 of the session laws of 1851.

#### THIRD READING OF BILLS.

A bill to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, or silver ores, was read a third time; when,

On motion of Mr. Ransom,

The bill was committed to committee on judiciary, with instructions to strike out all such of its provisions as authorize incorporations for mechanical business.

A bill to organize the county of Emmet, was read the third time and passed, as follows:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hand,

Mr. Murphy,  
Palmer,  
Parkhurst,  
Reno,  
Renwick,

Bristol,  
Bonine,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Frey,  
J. Gleason,  
J. P. Gleason,  
Goff,

Hase,  
Hudson,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Morton,

Richardson,  
Root,  
Sherman,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,  
Speaker,

50

## NAYS:

Mr. Burt,  
Fitzsimmons,  
Gale,

Mr. Ingalls,  
Poppleton,

Mr. Sheldon,  
Thompson,

7

On motion of Mr. Strang,

The bill was ordered to take immediate effect by a vote of two-thirds of all the members elected to the House.

A bill to organize the township of Drummond, was then read the third time and passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
John P. Gleason,  
Goff,

Mr. Gregory,  
Griswold,  
Green,  
Gulick,  
Hand,  
Hase,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
C. L. Miller,  
Murphy,  
O'Callaghan,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sherman,  
Shelden,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

63

## NAYS:

0

On motion of Mr. Strang,

It was then ordered by a two-thirds vote of all the members elected to the House that the same take immediate effect.

A bill to provide for the disposition of prisoners apprehended in the county of Montcalm, was also read the third time and passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Davis,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
James Gleason,  
J. P. Gleason,  
Goff,  
Gregory.

Mr. Green,  
Griswold,  
Gulick,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Speaker, 60

## NAYS:

0

Also,

A bill to amend section 6 of chapter 11, title 2 of the revised statutes of 1846,

Was read the third time and passed by the following vote :

## YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Rider,  
Root,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,

Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
James Gleason,  
J. P. Gleason,  
Goff,

McDougall,  
Marsh,  
Matthews,  
C. L. Miller,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,

Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

61

## NAYS :

0

The House then went into committee of the whole on the general order, Mr. Ewing in the chair ; and after spending some time thereon the committee rose and through their chairman, reported back to the House that they had had under consideration,

A bill prohibiting the manufacture of intoxicating beverages and the traffic therein, on which they had made some progress, and asked leave to sit again thereon.

The report was accepted, leave granted and the committee discharged.

On motion of Mr. James Gleason,  
The House adjourned.

*Lansing, January 26, 1853.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of yesterday was corrected and approved.

## PETITIONS.

Mr. Goff presented the petitions of E. A. Wing and 30 others, not voters; of S. A. Wing and 10 others, voters; of R. B. C. Newcomb and 28 others, voters; of Jane E. Stiles and 48 others, not voters, of Lenawee county;

Mr. Ingalls: of 100 not voters, of Ionia county;

Mr. Gulick: of Laura A. Middleworth and 46 others;

Mr. McWhorter: of S. C. Harvey and 100 others, not voters, of Jackson county;

Mr. Gale: of Ashael Martin and 27 others;

Mr. Morton: of Content Baker and 84 others, and of H. Chase and others;

Mr. Thompson: of 48 inhabitants, not voters, of Lenawee county; also, of 60 voters;

Mr. Poppleton: of Ezra Rood and 107 others, of Detroit;

Mr. Richardson: of Catharine Downs and 40 others, not voters, and of Dennis Harrison and 36 voters, of Tuscola county;

All praying for the Maine law.

Referred to select committee on that subject.

Mr. Fitzsimmons: of Y. Chester and 43 others of Hillsdale county; remonstrating against amendments to certain rail road companies.

Referred to committee on banks and incorporations.

Mr. Morton: of John Chamberlin and 172 others, of Monroe county, asking for an amendment to the charter of the Michigan Southern Railroad.

Same reference.

Mr. C. L. Miller: of W. F. Bowman and 45 others, of St. Joseph county, for the passage of a general rail road law.

Mr. Hand: of C. F. Howe and 49 others, asking for the passage of an act to fix a standard measure for lime and ashes.

Referred to the committee on State affairs.

Mr. Ingalls: of Levi Johnson and 49 others, for a law to allow the leasing of certain school lands.

Referred to committee on education.

Mr. Mitchell: the memorial of the board of supervisors of St. Clair county, with certain petitions.

Referred to the committee on towns and counties.

#### REPORTS OF COMMITTEES.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred Senate bill No. 17, to provide for taxing foreign insurance companies, have had the same under consideration, and have directed me as their chairman, to report the same back the House, and ask to be discharged from further consideration of the same.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.



Mr. Morton, from the committee of ways and means, submitted the following report:

The committee of ways and means report back to the House,

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof,

Recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Ransom, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was committed

A bill to authorize the formation of corporations for mining, &c., with instructions to strike out all provisions for incorporations for mechanical business, have performed that duty as instructed, and now beg leave to report the bill back to the House, and ask to be discharged.

The report was accepted, the committee discharged, and the bill referred to the order of its third reading.

Mr. Ransom, from the same committee, also submitted the following report:

The committee on the judiciary, to whom was referred the petition of Mr. Parker and others, praying for the repeal of all laws which confer on the husband authority over the person or property of the wife, and for the enactment of such laws as shall allow the wife the full and equal exercise of all her natural rights as to person and property, and also to make the husband and wife joint and equal owners in their own right, of all the property accumulated by them during the coverture, have fully considered the subject matter of the petition, are of opinion that the legislation prayed for would be unwise, recommend that the petitioners have leave to withdraw their petition, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Sutherland, from the same committee, submitted the following report:

The committee on the judiciary, to whom was referred the memorial of the board of supervisors of Kent county, asking for certain changes in the law regulating proceedings in criminal cases, have had the subject under consideration, and instruct me to report the accompanying bill, to recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and the bill entitled

A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on judiciary, submitted the following report :

The committee on the judiciary have had under consideration, Preamble and joint resolution in regard to the Chippewa Indians of Lake Superior, respectfully report the same back and recommend its passage.

The report was accepted and the committee discharged, and the joint resolution referred to the committee of the whole and placed on the general order.

Mr. Ellsworth, from the same committee, submitted the following report :

The committee on the judiciary report

A bill providing for the compensation of judges of probate; and

A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons; and respectfully recommend their passage and ask to be discharged.

The report was accepted and the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Traver moved that House bill No. 83 be taken from the committee of the whole and be made the special order for Monday next.

To which Mr. Ellsworth moved the following as a substitute, to wit :

That the bill prohibiting the manufacture of intoxicating bever-

ges and the traffic therein, be taken from the committee of the whole and referred to the special committee that reported the bill, with instructions to so amend the bill that alcohol and high wines may be manufactured and sold to authorized agents, after getting license for the same ; and that said bill be made the special order for Monday next.

On motion of Mr. Seymour,

The substitute was amended by inserting "to-morrow," instead of "Monday next."

The question being taken on the substitute, it was lost.

When the question was taken on the motion of Mr. Traver and lost.

Mr. Parkhurst introduced

A joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1853.

Laid over one day under the rule.

Mr. H. Miller gave notice that he would on some future day ask leave to bring in

A bill to authorize the expenditure of highway labor on public streets in incorporated villages.

On motion of Mr. Winters,

*Resolved*, That the Auditor General be authorized and directed to procure the publication, in pamphlet form, of a sufficient number of the new tax laws, to furnish one copy each to the several township clerks and supervisors in the State, and for all other officers justly entitled to the same.

Mr. Gregory gave notice that he intends at some future day to ask leave to introduce

A bill to amend act No. 137, of the session laws of 1848, relative to the erection, repairing and preservation of bridges.

Mr. Ellsworth moved that the bill prohibiting the manufacture of intoxicating beverages, be made the special order for to-morrow.

Agreed to.

#### UNFINISHED BUSINESS.

Under this order the joint resolution to amend section 47 of article 4 of the constitution, was taken up, and the question being on the final passage thereof, the same was lost.

The House then went into committee of the whole on the general order,

Mr. Sutherland in the chair.

After spending some time thereon, the committee rose and by their chairman reported back to the House, with sundry amendments,

1. A bill to amend chapter 20 of the revised statutes of 1846, relative to the powers and duties of supervisors;

2. Joint resolution relative to the public domain;

3. A bill to provide for taxing foreign corporations.

Also, without amendment,

4. A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes.

5. A bill to amend chapter 60, section 1, revised statutes of 1846; and

6. A bill to amend section 49 of chapter 154 of the revised statutes of 1846;

Asked the concurrence of the House in the amendments, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

The amendment to the first named, which was to strike out all after the enacting clause, was concurred in, and

On motion of Mr. Mitchell,

The enacting clause was indefinitely postponed.

The first amendment to the second named, which was as follows: Strike out "160 acres" and insert "50 acres," was not concurred in.

The second amendment, as follows.

Strike out "instructed" and insert "requested," was concurred in.

The joint resolution was then ordered to be engrossed and read a third time.

The amendment to the third named, which was to strike out all after the enacting clause, was concurred in, and

On motion of Mr. Mitchell,

The enacting clause was indefinitely postponed.

The fourth named was ordered to be engrossed and read the third time.

The fifth named being under consideration,  
Mr. Poppleton moved its indefinite postponement.

Lost.

Mr. Ransom moved to lay on the table.

Lost.

Mr. Mitchell moved to strike out "9" and insert "12."

Pending which,

On motion of Mr. Ransom,

The bill was recommitted to the committee on education, with the following instructions:

To report to this House what portion of the University lands, if any of them, are worth less than \$12 per acre, at their present market value, and what portion are worth more than \$12 per acre.

The sixth named was ordered to be engrossed and read the third time, when,

On motion of Mr. Ellsworth,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House was called to order by the Hon. Mr. Morton,

And on calling the roll a quorum was found to be present.

**PETITIONS PRESENTED.**

Mr. Poppleton presented the remonstrance of A. H. Adams and 3 others against the passage of the Maine law.

Referred to committee on Maine law.

Mr. Smith: the petitions of citizens of Kent county;

Mr. Fitch: of Oliver D. Jones and 117 others, of Ingham county;

Mr. Seymour: of 40 legal voters of Genesee county;

Mr. Fitch: of J. H. Davis and 56 other voters;

All praying for the passage of the Maine law.

Referred to the select committee on that subject.

**REPORTS.**

Mr. Warner, from the committee on the organization of towns and counties, submitted the following report:

The committee on the organization of towns and counties, to whom was referred the petition of Reuben H. King and many others, of the township of Rives, in the county of Jackson, having had the same under consideration, respectfully report said petition back, accompanied by a bill, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, the bill entitled

A bill to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act No. 39 of the session laws of 1849, and attached to the township of Henrietta, in said county,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Bates, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes,

Have had the same under consideration, and report it back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on public lands, submitted the following report :

The committee on public lands, to whom was referred the petition of Isaac Turner, asking the passage of a law to enable him to purchase certain State building lands, have had the same under consideration, and finding that there are many legal questions involved in said petition, your committee ask leave to report the petition back to the House, and ask its reference to the judiciary committee, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged and the petition referred to the committee on judiciary.

Mr. Sutherland, from committee on judiciary, submitted the following report :

The judiciary committee report

A bill providing for the allowance of costs in certain cases, which said committee have had under consideration and instructed me to report,

Recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and the bill referred to committee of the whole and placed on the general order.

#### MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER,  
*Lansing, January 26, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to authorize the commissioners of the State land office to lease certain State property in the city of Detroit ;

Which the Senate have passed by a two-thirds vote of all the Senators elect and by a like vote have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,  
*Sec'y Senate.*

The bill was read a first and second time and referred to committee on State affairs.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Craven gave notice that on some future day he would ask leave to introduce a bill to amend chapter 24, of the revised statutes of 1846, relative to the duties of overseers of highways, in the collection of highway labor.

#### THIRD READING OF BILLS.

The bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores, was passed by the following vote :

#### YEAS.

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Britton,

Mr. Griswold,  
Green,  
Gulick,  
Haight,  
Hull,

Mr. Reno,  
Renwick,  
Richardson,  
Rider,  
Seymour,

Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Elv.  
Ewing,  
Fitzsimmons,  
Frey,  
J. Gleason,  
Goff,  
Gregory,

Ingalls,  
Irwin,  
Jones,  
Lathrop,  
Lovell,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,

Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winners,  
Worden,  
Speaker, *pro tem.*

53

NAYS.

0

Mr. Sherman offered the following substitute for the title of the bill:

A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes.

Agreed to.

On motion of Mr. Sherman,

The act was ordered to take immediate effect by a vote of two-thirds of all the members elect.

A bill to amend section 49 of chapter 154 of the revised statutes of 1848,

Was read the third time and passed, by the following vote:

YEAS :

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Romine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Elsworth,  
Elv.  
Fitzsimmons,

Mr. Frey,  
Gale,  
Goff,  
Green,  
Griswold,  
Gulick,  
Hind,  
Ingalls,  
Jennison,  
Lathrop,  
Lovell,  
Matthews,  
H. Miller,  
Murphy,

Mr. Norton,  
Palmer,  
Parkhurst,  
Ransom,  
Reno,  
Shoemaker,  
Smith,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker, *pro tem.*

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NAYS :

Mr. Ewing,  
J. Gleason,  
Gregory,

Mr. Jones,  
McDougall,  
C. L. Miller,

Mr. Rider,  
Sherman,  
Sheldon,



H z e,  
I win,

Poppleton,  
Renwick,

Strang,  
Thompson, 15

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,

Mr. Goff,  
Gregory,  
Green,  
Gulick,  
Haight,  
Ingalls,  
Iwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
M. Dougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Murphy,  
Palmer,

Mr. Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shewmaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winners,  
Speaker pro tem.

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## NAYS:

0

A joint resolution relative to the public domain, was read the third time; and the question being on its final passage,

Pending which,

Mr. Fitch moved a call of the House.

The motion prevailed.

The roll was called, and the members answered to their names, excepting Messrs. Bailey, John P. Gleason, Hudson and O'Callaghan.

Messrs. Bailey, John P. Gleason and Hudson were excused on account of sickness.

On motion of Mr. Parkhurst,

All further proceedings under the call were dispensed with.

The joint resolution was then passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bristol,  
Bonine,

Mr. Green,  
Griswold,  
Gulick,  
Haud,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,

Burt,  
Canfield,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,  
Goff,  
Gregory,

Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Murphy,  
Palmer,

Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Traver,  
Warner,  
Winters,  
Worden, 51

# NAYS:

Mr. Bates,  
Benedict,  
Chapel,  
Craven,  
Gale,

Mr. Haight,  
Lovell,  
McWhorter,  
Mitchell,  
Norton,

Mr. Sherman,  
Shelden,  
Sutherland,  
Toll,  
Speaker *pro tem*, 15

## UNFINISHED BUSINESS.

The House then took up a joint resolution authorizing the Secretary of State to exchange a certain lot with the First Baptist Society of Lansing; which was read the third time and passed.

The House then went into committee of the whole on the general order, Mr. Norton in the chair, and after spending some time thereon, the committee rose and reported back to the House,

\* A bill to amend an act entitled aa act relative to plank roads, approved March 13, 1848, with sundry amendments, asked the concurrence of the House therein, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged, and

On motion of Mr. Mitchell,

The amendments concurred in in gross.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Poppleton,

The House adjourned.

*Lansing, January 27, 1853.*

The House was called to order by the Hon. Mr. Morton.

Prayer by the Rev. Mr. Dayfoot.

The roll was called, and a quorum found to be present.

The journal of yesterday was corrected and approved.

Mr. Fitch moved that the rules be suspended, in order that he might introduce the following resolution, stating that it was rendered necessary on account of the illness of the Speaker.

*Resolved*, That the Speaker of this House have leave to appoint a Speaker *pro tempore*, until otherwise ordered.

The rules being suspended, the resolution was adopted.

PETITIONS.

Mr. Craven presented the petitions of certain voters, and of certain persons not voters;

Mr. Root: of Homer A. Moody and 11 others;

Mr. Goff: of William Wright and 10 others, voters; of Thomas M. Cobb and 4 others; of Sarah A. Smith and 10 other ladies; of Mary A. Smith and 30 other ladies;

Mr. Bates: of Oliver Frink and 101 others, of Monroe county;

Mr. Frey: of Wm. Page and 28 other voters, of St. Joseph county;

Mr. Haze: of S. N. Whitcomb and 34 voters, and of 56 persons not voters, all praying for the passage of the Maine law.

Referred to the committee on that subject.

Mr. Sutherland: of G. D. Williams, G. W. Bullock and others, for a law authorizing Saginaw county to issue bonds in aid of constructing plank roads.

Referred to select committee on that subject.

Mr. Mitchell: of 79 citizens of St. Clair county, praying for change in school laws.

Referred to committee on education.

Mr. Craven: of John Fifer and 25 others, same prayer.

Same reference.

Mr. Palmer: of Loren Maynard and 11 others, praying that certain rail road charters shall not be amended, except under certain modifications.

Referred to committee on banks and incorporations.

Mr. Speaker, *pro tem.*: of the common council of the city of Monroe, for an alteration in the charter of said city.

Referred to the committee on the organization of towns and counties.

Mr. H. Miller: of G. W. Barrass and 129 others, of Oakland county, for an alteration of the highway tax law.

Referred to committee of ways and means.

REPORTS OF STANDING COMMITTEES.

Mr. Ransom, from the judiciary committee, submitted the following:

The committee on judiciary, to whom was referred

A bill to amend section 2 of chapter 9 of the revised statutes of 1843 and

A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850; and also

A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands, included in the town site of the village of Ontonagon, in the county of Ontonagon,

Have considered said bills respectively, recommend their passage, and ask to be discharged from their further consideration.

The report was accepted and the committee discharged. the bills severally referred to the committee of the whole and placed on the general order.

Mr. Sutherland, from the same committee, submitted the following report:

The committee on the judiciary, to whom was committed House bill No 21, with instructions to inquire into the expediency of making a certain amendment, and to which was referred two other bills, all proposing certain amendments to the act approved April 8, 1851, entitled

An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers,

Have had the same under consideration, and direct me to report the same back to the House with the accompanying bill, entitled

A bill to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851,

Which embraces in the opinion of the committee, all the amendments to said act that should be made; the committee recommend that the several bills committed and referred, do not pass, and that the accompanying bill do pass, and the committee be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill, entitled

A bill to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred

A bill to extend and define the boundaries and jurisdiction of certain counties, have had the same under consideration, report the same back to the House, respectfully recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, have had under consideration,

A bill to provide for the incorporation of individuals and associations of persons for the purpose of banking, which they have instructed me to report to this House.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

#### MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER  
Lansing, Jan. 25, 1853. }

*To the Speaker of the House of Representatives:*

SIR Here-with is transmitted

A bill to amend section two of an act entitled an act to incorporate the Michigan Mining Company;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked; also,

Joint resolution relative to the Tecumseh and Ypsilanti Railroad Company;

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec. Senate.*

The bill and joint resolution were severally read a first and second time, and each referred, the first to the committee on banks and incorporations, the second to the committee of ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Jones gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851.

Mr. Palmer gave notice that on to-morrow he would ask leave to introduce

A bill to change the name of the township of Clarence, in the county of Calhoun, to that of Duck Lake.

Mr. Sutherland gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the township of Bridgeport in the county of Saginaw.

On motion of Mr. Chittenden,

*Resolved*, That the Hon. A. M. Hoyt have leave to withdraw from the clerk's desk his papers connected with the late contested election case from the county of Saginaw.

Mr. Mitchell moved that House bill No. 44, to amend the general plank road law of 1851, be referred to the committee on banks and incorporations, with instructions to add new sections, making the amendments to the general law of 1848, applicable to companies organized under the law of 1851.

Agreed to.

Mr. Seymour, from the committee on State affairs, by unanimous consent, submitted the following report:

The committee on State affairs, to whom was referred

A bill to authorize the Commissioner of the State Land Office to lease certain property in the city of Detroit,

Reported the same back to the House, and recommended its passage.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

SPECIAL ORDER.

The House having arrived at the special order of the day, being  
A bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Went into committee of the whole thereon,

Mr. Parkhurst in the Chair.

After spending some time thereon, the committee rose, and by their chairman reported progress, and asked leave to sit again.

The report was accepted, leave granted, and the committee discharged, when

On motion of Mr. Ellsworth,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House was called to order by the Hon. Mr. Morton, Speaker *pro tem.*

The roll was called, and a quorum of members was found to be present.

PETITIONS.

Mr. Haze presented the petition of nine voters, and of 34 persons, not voters, of the township of Green Oak; and

Mr. Craven: of John Fedewa and 23 others, all asking the passage of the Maine law.

Severally referred to the committee on that subject.

Mr. Ely gave notice that at some future day he should ask leave to introduce

A joint resolution requesting our Senators and Representatives in Congress to use their influence to procure the passage of an act providing an appropriation for opening a military road from a point opposite Mackinaw, to Sault Ste Marie, and from Sault Ste Marie via Ontonagon, to Fon Du Lac, at the west end of Lake Superior, and thence to St. Pauls, in the Territory of Minesota; and from Bay De Noquet, on Lake Michigan, to Marquette, on the south shore of Lake Superior, and also to provide for the early opening of the same.

## THIRD READING OF BILLS.

The bill further to amend an act entitled an act relative to plank roads, approved March 13, 1848, was read the third time; when,

On motion of Mr. Ransom,

The same was recommitted to the committee on internal improvements, with instructions to amend as follows, and report the same back to the House immediately, to wit:

Add the following, to stand as sections 25, 26, 27, 28 and 29:

Sec. 25. Each toll gatherer of said company may detain and prevent from passing through his gate, any person or persons riding or leading or driving one or more animals or vehicles subject to toll, until such person or persons shall pay the lawful toll authorized by law to be demanded at such gate.

Sec. 26. If any person shall wilfully or maliciously obstruct, break, injure or destroy the plank road of said company, or shall wilfully or maliciously injure or destroy any building, bridge, culvert, toll gate, or other work or fixture of said company, such person shall be punished by imprisonment in the State prison not exceeding three years, or by fine not exceeding five hundred dollars, and by imprisonment in the county jail not exceeding one year.

Sec. 27. Every person who, with one or more animals or vehicles, subject to toll, shall travel on the road of said company between the toll gates, and shall not pass through any gate of said company, shall be liable to pay said company, on demand, the regular toll at the rate per mile established by the charter of said company for the distance actually so traveled: *Provided*, That this section shall not apply to any person for any such travel as is exempted from toll.

Sec. 28. Every person who, to avoid the payment of legal toll on said road, shall, with his vehicle or animal, or vehicles and animals subject to tolls, turn off from such road, or pass any gate thereon, on any ground adjacent thereto, and enter again on such road, shall forfeit and pay to said company, for each offence, the penalty of ten dollars and costs of suit for the recovery of the same.

Sec. 29. All penalties and forfeitures given by the charter of said company, may be sued for and recovered by said company, in its own name, in an action of debt or assumpsit, in any court of competent jurisdiction, or before any justice of the peace in the county



where such offence was committed; and on the first Monday in January in each year, the treasurer of said company shall render under oath to the treasurer of the proper county, an account of all moneys collected during the preceding year by said company, for any penalty or forfeiture accruing within said county, and shall pay over to said county treasurer one half of the amount so collected, for the use of the county, and retain the other half for the use and benefit of the company.

Mr. Burt, from the committee on internal improvement, soon after reported back the bill, amended as instructed, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill passed, by the following vote:

## YEAS:

|             |                  |                         |
|-------------|------------------|-------------------------|
| Mr. Adams,  | Mr. Fitzsimmons, | Mr. H. Miller,          |
| Arnold,     | Fry,             | Murphy,                 |
| Biley,      | Gale,            | Norton,                 |
| Bates,      | J. P. Gleason,   | Palmer,                 |
| Benedict,   | Goff,            | Parkhurst,              |
| Bristol,    | Gregory,         | Popplecon,              |
| Buine,      | Criswold,        | Ransom,                 |
| Burt,       | Gulick,          | Richardson,             |
| Canfield,   | Hand,            | Rider,                  |
| Chapel,     | Haze,            | Seymour,                |
| Chittenden, | Igalls,          | Sheldon,                |
| Craven,     | Jennison,        | Shoemaker,              |
| Davis,      | Lathrop,         | Toll,                   |
| Ellsworth,  | Lowell,          | Warner,                 |
| Elv,        | McWhorter,       | Worden,                 |
| Ewing,      | Marsh,           | Speaker, <i>pro tem</i> |
| Fitch,      | Matthews,        | 50                      |

## NAYS:

|            |                   |            |
|------------|-------------------|------------|
| Mr. Hight, | Mr. C. L. Miller, | Mr. Smith, |
| Irwin,     | Reno,             | Strang,    |
| McDougall, | Renwick,          | 8          |

On motion of Mr. Ransom,

The bill was ordered to take effect immediately, by a vote of two-thirds of all the members elected to the House.

Mr. Ransom then offered the following substitute for the title, to wit: .

A bill to amend sections 3, 9, 18, 19 and 20, of an act entitled an act relative to plank roads, approved March 13, 1848, and to add thereto five new sections, to stand as sections 25, 26, 27, 28 and 29.

Agreed to.

UNFINISHED BUSINESS.

A joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1853,

Was then taken up, and passed by the House.

The House then went into committee of the whole, on the special order of the day, being the bill prohibiting the manufacture of intoxicating beverages, and the traffic therein,

Mr. Parkhurst in the chair.

And after spending some time thereon the committee rose, and by their chairman reported the same back to the House with sundry amendments, asked the concurrence of the House therein, and to be discharged from the further consideration of said bill.

The report was accepted and the committee discharged, and

On motion of Mr. Poppleton,

The bill ordered laid on the table.

Mr. Parkhurst moved that the House adjourn.

Lost.

The House then went into committee of the whole on the general order.

Mr. Mitchell in the chair.

After spending some time thereon, the committee rose, and through their chairman reported back to the House without amendment,

1. A bill to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit.

2. A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon.

3. A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850.

4. Joint resolution authorizing the board of State auditors to settle the claim of Andrew Harvie.

5. A bill to discontinue a certain road in the town of Martin in the county of Allegan.

6. A bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850, and also to amend an act entitled an act to amend an act to incorporate the village of Battle Creek, approved April 4, 1850, and

7. A bill to amend section 2 of chapter 9, of the revised statutes of 1846 ;

And asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The first named was ordered to be engrossed and read the third time.

The question being on ordering the second named to be engrossed and read the third time,

Pending which,

Mr. Strang moved to strike out the word "site" in the last line of the preamble.

Agreed to.

The bill was then ordered to be engrossed and read the third time.

The remainder of said bills, no amendments being offered thereto, were severally ordered to be engrossed and read the third time ; when,

On motion of Mr. Benedict,

The House adjourned.

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*Lansing, January 28, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tempore*.

Prayer by the Rev. Mr. Dayfoot.

The roll was called—quorum present.

The journal of yesterday was approved.

#### PETITIONS.

Mr. Fitzsimmons presented the petitions of 25 ladies, and of J. E. Johnson and 175 others, of Hillsdale county, praying for the passage of the Maine Law.

Referred to select committee on that subject.

Mr. Ingalls : of E. R. Powell and 55 other voters, asking to be protected against the passage of a general railroad law.

Referred to the committee on banks and incorporations.

Mr. Arnold: the memorial of the board of supervisors of the county of Branch and 53 other citizens, asking an appropriation in aid of the State Agricultural Society.

Referred to committee on agriculture and manufactures.

Mr. Fitzsimmons: of C. L. Travis and 90 others, remonstrating against any amendment to the charters of certain railroads, unless under certain restrictions.

Referred to the committee on banks and incorporations.

#### REPORTS.

Mr. Sutherland, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, have had under consideration the garnishee law, and instruct me to report to the House the accompanying bill, entitled

A bill to amend sections 2, 5, 6, 7, 10 and 20, and to repeal sections 8, 11 and 19, of an act entitled

An act to authorize proceedings against garnishees and for other purposes, approved March 28, 1849; to recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and the bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Winters, from committee on towns and counties, to whom was referred the petition of Chester Kimball, Patrick Moore and many other citizens of St. Clair county; also the memorial of the board of supervisors of said county, praying that the township of Ira may be divided and attached to the townships of Clay and Cottreville, have had the same under consideration, and respectfully submit the following report:

That they can see no good reason why the prayer of the petitioners should not be granted and have therefore reported a bill for the same, recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill entitled a bill to divide the township of Ira, in the county of St. Clair, and to attach the same to the townships of Clay and Cottreville, in

said county, was read a first and second time and referred to the committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred the petition of H. Barton and 75 others, citizens of Ioni, asking the passage of a general law for the formation of insurance companies, have had the same under consideration, report the same back to the House accompanied by a bill, and ask to be discharged.

The report was accepted, the committee discharged, and the bill, entitled

A bill to authorize the formation of Insurance companies,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on education, submitted the following report:

The committee on education, to whom was referred the petition of Levi Johnson and others, praying for a lease of certain school lands, have instructed me to report the same back without action, recommend that it be referred to the committee on public lands, and ask to be discharged from its further consideration.

Your committee have also had under consideration the petition of the Trustees of the Kalamazoo Literary Institute, and have prepared a bill in compliance with the prayer of the petitioners, (with some modifications,) which they respectfully report to the House, recommend its passage, and ask to be discharged therefrom.

Your committee also report to the House a bill making appropriations to the State Normal School, respectfully recommend its passage, and ask to be discharged.

The report was accepted and the committee discharged, and the bills, entitled

A bill to amend sections 1 and 2 of an act to amend an act to incorporate the Michigan and Huron Institute, approved March 31, 1837; and

A bill making appropriations to the State Normal School,

Were severally read a first and second time and referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from committee on education, submitted a majority report relative to a change in the school laws.

Mr. O'Callaghan, from same committee, submitted a minority report upon same subject.

The reports were accepted, the committee discharged, and

On motion of Mr. Ransom,

Five hundred copies of each were ordered printed for the use of the House.

Mr. Mitchell, also, from the committee on education, submitted the following report:

The committee on education, fully assenting to the views of the Superintendent of Public Instruction, in regard to the value and high character of Webster's Unabridged American Dictionary of the English Language, and believing with him that its introduction into all our primary schools as a standard text book, would be promotive in a high degree of the cause of education, beg leave to report a bill for that purpose, and recommend its passage.

The report was accepted, the committee discharged, and the bill, entitled

A bill to furnish each school district in the State the unabridged American Dictionary of the English language, by Noah Webster, was read a first and second time, referred to committee of the whole, and placed on the general order.

Mr. Norton, from the committee on towns and counties, to whom was referred

A bill to organize the township of Auchville, in the county of Tuscola,

Reported the same back to the House with amendments, and asked to be discharged.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Sutherland, from special committee on the subject of authorizing the county of Saginaw to loan its bonds for the construction of a road, submitted the following report:

The committee to which was referred

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

Have had the same under consideration, a portion of the committee not active, and submit the following report:

It appears to your committee that the Saginaw and Bad River plank road company, to which the bill would authorize said county to loan its credit, propose to build a plank road from the county seat of said county, in a south-west direction, to the forks of Bad River, a distance of fifteen miles.

That there is not as yet, any road passable at all seasons on this route—that a large portion of the inhabitants of that county would be accommodated by such a road—that it is therefore of the greatest importance to the county at large, and may be regarded, not as a local benefit, but a county improvement, for which the statute authorizes the county to aid by appropriations to a limited extent. There is in the direction in which this road is proposed to be constructed, a large district of country, embracing not only a large portion of Saginaw county, but also of Clinton and Shiawassee counties, lying so contiguous that important settlements there located, and now remote from any of the thoroughfares of the State, will most naturally seek an outlet for their produce through this channel. That said company is now organizing, and includes among its stockholders, many residents of the county possessing property and character.

That if the board of Supervisors of the county should issue the bonds contemplated by the bill, the same would be sufficient nearly to defray the expense of building the road, and allowing the bonds to be payable at the earliest possible time, the county would have such amount of the nett proceeds of the road for seven years, as would fully provide for the payment of the bonds then to mature, and the county has in the meantime the guarantee of the company and the individuals composing the same. That during the time it appears to your committee, the bonds of the county will be fully provided for, and that no necessity would ever arise to levy one dollar of tax upon the inhabitants. The bill is so drawn as to guard the interests of the county most perfectly, and at the same time loan its credit for a laudable public object.

Your committee therefore report back the bill without amendment, recommend its passage and ask to be discharged.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

# MESSAGES.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 27, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to provide for the collection of taxes in the township of Niles, in the county of Berrien,

Which the Senate have passed by a majority vote of all the Senators elect, and by a like vote have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec. Senate.*

The bill was read a first and second time, and referred to the committee of ways and means.

And the following message from the Senate:

SENATE CHAMBER,  
Lansing, January 27, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

1. A bill to provide for filing certain reports in the Auditor General's office, and for other purposes ;

2. A bill relative to the bonds deposited by banks in the treasury of this State ;

3. A bill to change the name of the township of Northampton, in the county of Saginaw ;

In which the Senate have concurred by a vote of two-thirds of all the Senators elect ; also,

4. A bill to amend section 5, chapter 50 of the revised statutes of 1846. relative to unauthorized banking, &c.,

In which the Senate have concurred with amendments by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked ; also,



5. A bill to amend chapter 15 of the revised statutes of 1846 ;

In which the Senate have concurred with amendments by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that that the same take immediate effect, and in which amendment the concurrence of the House is respectfully asked ; also,

6. A bill to organize the county of Cheboygan ;

In which the Senate have concurred by a two-thirds vote of all the Senators elect, and by a like vote have ordered that the same take immediate effect ; also,

7. A bill to amend section 24, of chapter 16 of the revised statutes of 1846, entitled, of powers and duties of townships, and election and duties of township officers ;

In which the Senate have concurred by a two-thirds vote of all the Senators elect, and have refused to order the same to take immediate effect ; also,

8. Concurrent resolution relative to the survey of Stannard's Rock, in Lake Superior,

In which the Senate have concurred by a majority vote of all the Senators elect.

Herewith is also transmitted,

9. A bill to provide for an additional circuit court commissioner for the county of Wayne,

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y. Senate.*

The 1st, 2d, 3d, 5th, 6th 7th and 8th named bills were severally ordered to be enrolled.

The amendments to the 4th named were severally concurred in, and the bill as amended ordered to be enrolled.

The ninth named was read a first and second time and referred to the committee on the judiciary.

Also the following :

SENATE CHAMBER,  
Lansing, January 28, 1853. }

*To the Speaker of the House of Representatives :*

SIR—Herewith is returned,

1. A bill to amend section 6 of chapter 11, title 2 of the revised statutes of 1846,

In which the Senate have concurred by a majority vote of all the Senators elect; also,

2. A bill to organize the township of Drummond; and

3. A bill to organize the county of Emmet,

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect.

Also, herewith is transmitted,

4. A bill to amend sections 1 and 2 of an act authorizing the Commissioner of the State Land Office to sell certain primary school lands,

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

The three first named bills were severally ordered enrolled; the 4th named bill was read a first and second time and referred to committee on education.

Also the following:

SENATE CHAMBER,  
Lansing, Jan. 28, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

A bill for procuring a fire engine and suitable apparatus for extinguishing fires at the State Capital,

In which the Senate have non-concurred.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Toll, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend an act entitled an act to amend sections 1, 2 and 3 of chapter 95 of the revised statutes of 1846, approved April 2, 1851.

Read twice and referred to committee on judiciary.

Mr. H. Miller, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend the charter of the Troy and Rochester Railroad company.

Read twice and referred to the committee on banks and incorporations.

On motion of Mr. Fitch,

*Resolved*, That the committee on education be instructed to report to this House whether any legislation is required, to exclude all sectarian books and exercises from the primary schools of this State, and if so, to introduce a bill for that object.

Mr. Sutherland, pursuant to previous notice, asked and obtained leave to introduce

A bill to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw.

Read twice and referred to the committee of ways and means.

Mr. Ewing offered the following:

*Whereas*, It appears upon examination that the papers presented in evidence in the Saginaw contested seat case, are not on file with the Clerk of the House;

*And wheereas*, Said papers are the property of this House; therefore

*Resolved*, That the committee on elections be required forthwith to procure said papers, or cause them to be procured and deposited with the clerk, as the property of this House.

Adopted.

Mr. Root gave notice that he would at some future day ask leave to bring in

A bill to amend an act entitled an act to amend an act to incorporate the village of Jackson.

Mr. Palmer, pursuant to previous notice, asked and obtained leave to introduce

A bill to change the name of the township of Clarence, in Calhoun county, to that of Duck Lake.

Read a first and second time and referred to the committee on towns and counties.

Mr. Craven, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chapter 29 of the revised statutes of 1846, relative to the powers and duties of overseers of highways, and

A bill to amend section 2 of chapter 22 of the revised statutes of 1846, in relation to the powers and duties of highway commissioners.

Both of which were read a first and second time, and referred, the first to the committee of ways and means, the second to the committee on judiciary.

Mr. Strang gave notice that on some future day he would ask leave to introduce

A bill to determine the qualifications of circuit court commissioners.

Mr. Ellsworth gave notice that he would, on some future day, ask leave to introduce

A bill to amend chapter 2 of the revised statutes of 1846.

#### THIRD READING OF BILLS AND RESOLUTIONS.

The joint resolution authorizing the Board of State Auditors to settle the claim of Andrew Harvie,

Was read the third time and passed, and by a two-thirds vote of all the members elected, ordered to take effect immediately.

The following bills were also read the third time and passed, viz:

A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon,

By the following vote:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,

Mr. Green,  
Griswold,  
Haight,  
Hudson,  
Ingals,  
Irwin,

Mr. Poppleton,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Seymour,

Bonine,  
Burt,  
Canfield,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
John P. Gleason,  
Goff,  
Gregory,

Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,

Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, *pro tem.*,  
59

NAYS:

0

And on Motion of Mr. Sherman,

The same was ordered to take effect immediately by a two-thirds vote of all the members elect.

The bill to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit by the following vote :

YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Gale,  
John P. Gleason,  
Green,

Mr. Griswold,  
Gulick,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, *pro tem.*,  
58

NAYS :

Mr. Chittenden,

Mr. Haight,

Mr. Jennison,

8

And on motion of Mr. O'Callaghan,

Ordered by a two-thirds vote to take effect immediately.

The bill to amend section 2 of chapter 9 of the revised statutes of 1846, as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bonine,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. P. Gleason,

Mr. Griswold,  
Gulick,  
Haight,  
Haze,  
Hudson,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
Norton,  
O'Callaghan,  
Palmer,  
Poppleton,  
Ransom,

Mr. Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker *pro tem.*

45.

## NAYS:

0

The bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850, as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Burt,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. P. Gleason,  
Goff,  
Griswold,  
Haight,  
Haze,

Mr. Hudson,  
Irwin,  
Jennison,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
C. L. Miller,  
H. Miller,  
Mitchell,  
Murphy,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,

Mr. Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker *pro tem.*

52

## NAYS:

Mr. Canfield,

1

And the same ordered to take immediate effect by a two-thirds vote of all the members elected to the House.

The bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4, 1852, and also to amend an act entitled an act to amend an act to incorporate the village of Battle Creek, approved April 4, 1851; by the the following vote:

## YEAS :

|                |               |                         |
|----------------|---------------|-------------------------|
| Mr. Adams,     | Mr. Griswold, | Mr. Poppleton,          |
| Arnold,        | Gulick,       | Ransom,                 |
| Bailey,        | Haight,       | Reno,                   |
| Bates,         | Hand,         | Renwick,                |
| Benedict,      | Hudson,       | Richardson,             |
| Bristol,       | Ingalls,      | Rider,                  |
| Burt,          | Irwin,        | Seymour,                |
| Canfield,      | Jennison,     | Sheldon,                |
| Chittenden,    | Jones,        | Sherman,                |
| Craven,        | Lathrop,      | Shoemaker,              |
| Davis,         | Lovell,       | Smith,                  |
| Ellsworth,     | McDougall,    | Strang,                 |
| Ely,           | McWhorter,    | Sutherland,             |
| Ewing,         | Matthews,     | Thompson,               |
| Fitch,         | H. Miller,    | Toll,                   |
| Fitzsimmons,   | C. L. Miller, | Traver,                 |
| Frey,          | Murphy,       | Warner,                 |
| J. P. Gleason, | O'Callaghan,  | Winters,                |
| Goff,          | Palmer,       | Worden,                 |
| Gregory,       | Parkhurst,    | Speaker <i>pro tem.</i> |
| Green,         |               | 61                      |

## NAYS :

0

And a bill to discontinue a certain road in the town of Martin, in the county of Allegan, by the following vote :

## YEAS :

|             |            |             |
|-------------|------------|-------------|
| Mr. Adams,  | Mr. Goff,  | Mr. Ransom, |
| Arnold,     | Gregory,   | Reno,       |
| Bailey,     | Green,     | Renwick,    |
| Bates,      | Griswold,  | Richardson, |
| Benedict,   | Haight,    | Rider,      |
| Bristol,    | Hase,      | Root,       |
| Bonine,     | Hudson,    | Seymour,    |
| Burt,       | Irwin,     | Sherman,    |
| Chapel,     | Jennison,  | Shoemaker,  |
| Craven,     | Lathrop,   | Smith,      |
| Chittenden, | Lovell,    | Strang,     |
| Davis,      | McDougall, | Sutherland, |
| Ellsworth,  | McWhorter, | Thompson,   |

Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Matthews,  
H. Miller,  
Mitchell,  
Norton,  
O'Callaghan,  
Poppleton,

Toll,  
Traver,  
Warner,  
Worden,  
Speaker pro tem,

56

## NAYS:

Mr. Winters,

1

On motion of Mr. Mitchell,

The bill to organize certain townships in the county of Ontonagon, in the Upper Peninsula, was taken from the table and placed on the general order.

On motion of Mr. Ransom,

The bill to provide for the incorporation of institutions of learning, was taken from the general order and referred to the committee on education.

The House then went into committee of the whole on the general order,

Mr. Ely in the chair.

After spending some time thereon the committee rose and by their chairman reported back to the House with an amendment,

A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason in the county of Ingham, to Dexter, in the county of Washtenaw.

Also without amendment,

A bill to attach the counties of Gladwin, Arenac, Isabella and Iosco to Saginaw and for other purposes ;

A bill to complete the organization of the county of Grand Traverse ;

A bill to restore to the township of Rives, in the county of Jackson, all that part of the said township detached by act number 39 of the session laws of 1849 ;

A bill to organize certain townships in the county of Ontonagon in the Upper Peninsula ; and,

A bill to amend section one of an act entitled an act to amend an act to incorporate the village of Hillsdale ;

Asked the concurrence of the House in the amendments first named, and to be discharged from the further consideration of the said bills.



The report was accepted and the committee discharged.

The amendments to the first named,

On motion of Mr. Ely,

Were concurred in in gross, and the bill ordered to be engrossed and read the third time.

The second named being under consideration,

Mr. Sutherland offered the following amendment thereto:

Add a new section to stand as section 7, as follows:

Sec. 7. So much of an act entitled an act to organize the county of Cheboygan, approved January, 1853, as relates to the county of Iosco, be and the same is hereby repealed.

Adopted.

The bill was then ordered to be engrossed and read the third time.

The remainder of said bills, there being no amendment offered thereto, were severally ordered to be engrossed and read the third time, when,

On motion of Mr. J. Gleason,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker *pro tem*.

Roll called; a quorum present.

PETITIONS.

The Speaker *pro tem*. presented the petition of T. Babcock, F. Johnson, and 102 others, of Monroe, asking for an amendment to their city charter.

Referred to the committee on towns and counties.

REPORTS.

Mr. H. Miller, from the committee of ways and means, to whom was referred Senate joint resolution No. 3, reported the same back to the House, recommended its passage and asked to be discharged from the further consideration of the same.

The report was accepted and the committee discharged, when

The Speaker moved a suspension of the rule, in order to put the joint resolution entitled

Joint resolution relative to the Tecumseh and Ypsilanti Railroad Company, upon its third reading,

Which was so read a third time and passed.

Mr. McDougall, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred House bill No. 44, with certain instructions, have had the same under consideration and have done as instructed, and report the same back to the House and ask to be discharged.

The report was accepted, the committee discharged, the bill referred to the committee of the whole House.

Mr. Mitchell introduced the following preamble and joint resolution:

*Whereas*, Grants of lands have been made by the Congress of the United States to other of the western States, to aid in the construction of rail roads and other works of internal improvement therein; and

*Whereas*, There are large tracts of lands, both in the Lower and Upper Peninsula of this State, still belonging to the general government, that will remain unsold and unimproved, unless aid is given to railroads and other means of communication through them; therefore be it

*Resolved*, By the Senate and House of Representatives of the State of Michigan, that our Senators and Representatives in Congress be requested to use all honorable means to obtain grants of lands, to aid in the construction of railroads and other works of internal improvements, within this State, to be appropriated and designated to each work for which such grant shall be sought in alternate sections along the proposed route of such works, (6) six miles in width on each side thereof, or in other lands, equal thereto in amount, in case such lands along such route has been located; and that the Governor of this State be requested to forward copies of the foregoing preamble and this resolution, to our Senators and Representatives in Congress at the present session, and also to our Senators and Representatives in Congress elect.

Ordered laid over one day under the rule.

## MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Poppleton,

The bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Was taken from the table,

And the question being on concurring in the amendments reported by committee of the whole,

Pending the question on the first amendment as follows :

*Provided*, That nothing in this act shall be construed to prohibit the manufacture of alcohol or highwines, for market ; nothing herein however, shall be held to authorize the manufacture or sale of whiskey, or distilled liquor as a beverage in any form whatever; nor shall any manufacturer of alcohol or high-wines sell the same in less quantity than twenty-eight gallons at any one time.

*Provided*, That said manufacturer shall first give bonds in the sum of three thousand dollars executed to the people of the State of Michigan that he will in no way violate the provisions of this act.

Mr. Reno offered the following amendment thereto :

Sec. 1, line 2, after "time" insert "except beer, wine or cider."

Lost.

The first amendment was then non-concurred in by the following vote :

## YEAS :

Mr. Bates,  
Benedit,  
Canfield,  
Chapel,  
Davis,  
Ely,  
Ewing,  
Fitch,  
Green,  
Hudson,

Mr. Irwin,  
Jennison,  
Lovell,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,

Mr. Parkhurst,  
Ransom,  
Reno,  
Sheldon,  
Smith,  
Strong,  
Toll,  
Warner,  
Speaker, *pro tem.*

23

## NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Bristol,  
Bonine,  
Bart,  
Chittenden,

Mr. Goff,  
Gregory,  
Griswold,  
Gulick,  
Haight,  
Hase,  
Ingalls,

Mr. Poppleton,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,

Craven,  
Ellsworth,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,

Jones,  
Lathrop,  
McWhorter,  
Matthews,  
C. L. Miller,  
O'Callaghan,

Shoemaker,  
Sutherland,  
Thompson,  
Traver,  
Winters,  
Worden,

40

Mr. Poppleton moved that the remaining amendments be concurred in in gross.

But the motion did not prevail.

The second amendment, as follows:

Strike out "May," in section 6, and insert "October," was concurred in.

The third amendment, as follows:

Strike out section 9, was concurred in.

The fourth amendment, as follows:

Strike out section 18, and insert the following:

Sec. 18. This act shall be submitted to the people at a special election, to be held on the 1st day of July in the year one thousand eight hundred and fifty-three, in the several townships, cities, wards and villages of the State; and it shall be the duty of the Secretary of State, between the first day of April and the first day of June next, and of all other officers required to give or publish any notice in regard to an election of Governor, that this act for the prohibiting of the manufacturing of intoxicating beverages and the traffic therein, has been duly submitted to the electors of this State at such election,

Being under consideration,

Mr. Strang called for a division of the question on striking out and inserting,

Which was ordered.

The question being first taken on striking out,

The same was agreed to by the following vote:

YEAS:

Mr. Arnold,  
Bailey,  
Bates,  
Burt,  
Canfield,  
Craven,

Mr. Green,  
Haight,  
Haze,  
Ingalls,  
Jones,  
Lathrop,

Mr. Richardson,  
Root,  
Seymour,  
Sherman,  
Shoemaker,  
Smith,

Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
John P. Gleason,  
Gregory,

McWhorter,  
Marsh,  
Mathews,  
Mitchell,  
Norton,  
Parkhurst,  
Poppleton,  
Renwick,

Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Winters,  
Worden,

41

## NAYS:

Mr. Adams,  
Benedict,  
Bristol,  
Bonine,  
Chapel,  
Chittenden,  
Davis,  
Ewing,  
J. Gleason,

Mr. Goff,  
Griswold,  
Gutiek,  
Hudson,  
Irwin,  
Jennison,  
McDougall,  
H. Miller,  
C. L. Miller,

Mr. Murphy,  
O'Callaghan,  
Benson,  
Reno,  
Rider,  
Shelden,  
Warner,  
Speaker, *pro tem.*

26

Pending the question on inserting the substitute,

Mr. McWhorter offered the following substitute for the substitute:

Strike out sections 18, 19 and 20, and insert the following to stand as section 18:

This act shall take effect and be in force from and after the 1st day of October, 1853.

After a lengthy debate thereon,

Mr. Ewing moved the previous question.

Mr. Parkhurst moved that the House adjourn.

Lost, by the following vote:

## YEAS:

Mr. Adams,  
Chapel,  
Chittenden,  
Craven,  
Ellsworth,  
Ewing,  
Fitch,  
Gale,  
J. Gleason,  
J. P. Gleason,

Mr. Goff,  
Gregory,  
Green,  
Hudson,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,

Mr. Matthews,  
C. L. Miller,  
Mitchell,  
Norton,  
Parkhurst,  
Reno,  
Strang,  
Thompson,  
Speaker *pro tem.*

29

## NAYS:

Mr. Arnold,  
Bates,  
Benedict,

Mr. Haze,  
Ingalls,  
Marsh,

Mr. Rider,  
Seymour,  
Sherman,

Bristol,  
Bonine,  
Canfield,  
Davis,  
Ely,  
Fitzsimmons,  
Gulick,  
Haight,

H. Miller,  
Murphy,  
O'Callaghan,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,

Sheldon,  
Shoemaker,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,

31

Mr. Sherman moved a call of the House; but the motion did not prevail.

The previous question was then seconded.

The question being taken, "shall the main question be now put?" the same was agreed to.

The question was then taken on the substitute of Mr. McWhorter, and lost, by the following vote:

## YEAS:

Mr. Adams,  
Bailey,  
Bristol,  
Bonine,  
Burt,  
Craven,  
Ellsworth,  
Ely,  
Fitzsimmons,

Mr. Frey,  
Gale,  
Gregory,  
Green,  
Haight,  
Haze,  
Ingalls,  
Jones,  
McWhorter,

Mr. Matthews,  
Renwick,  
Richardson,  
Root,  
Shoemaker,  
Strang,  
Thompson,  
Traver,  
Winters,

37

## NAYS:

Mr. Arnold,  
Bates,  
Benedict,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ewing,  
Fitch,  
James Gleason,  
John P. Gleason,  
Goff,  
Griswold,  
Gulick,

Mr. Hudson,  
Irwin,  
Jennison,  
Lathrop,  
Lovell,  
McDougall,  
Marsh,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Reno,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Smith,  
Sutherland,  
Toll,  
Warner,  
Worden,  
Speaker pro tem.

41

The question was then taken on the substitute for section 18, as reported by the committee of the whole, and the same was adopted, by the following vote:

## YEAS :

Mr. Arnold,  
Bristol,  
Burt,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
James Gleason,  
J. P. Gleason,  
Goff,  
Griswold,  
Haight,

Mr. Haze,  
Hudson,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
Marsh,  
H. Miller,  
C. L. Miller,  
Mitchell,  
O'Callaghan  
Parkhurst,

Mr. Poppleton,  
Reno,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Toll,  
Warner,  
Worden,  
Speaker pro tem.

43

## NAYS :

Mr. Adams,  
Bailey,  
Bates,  
Benedict,  
Bonine,  
Canfield,  
Ely,  
Fitzsimmons,  
Frey,

Mr. Gale,  
Gregory,  
Green,  
Gulick,  
Ingalls,  
McWhorter,  
Mathews,  
Murphy,

Mr. Norton,  
Ransom,  
Renwick,  
Sherman,  
Strang,  
Thompson,  
Traver,  
Winters,

25

The next amendment reported by committee of the whole, as follows:

Strike out in section 19, line 1, "townships, cities or village elections," and insert after "said," "special elections in the cities, towns and villages throughout the State," was concurred in.

The next amendment, as follows:

Strike out in section 20, line 5, "June," and insert "August," was concurred in.

The next amendment, which was as follows:

Strike out after "thereof," in section 20, seventh line, and insert, "this act shall become a law of the State from and after the first day of October, 1853, except so much thereof as relates to the holding of a special election, which shall become a law on the 25th day of May next. But if a majority of the votes cast upon the question have thereon, "Adoption of the law prohibiting the manufacture of intoxicating beverages and the traffic therein, no;" then the same shall

take effect and become a law on the first day of March, in the year 1855," was concurred in.

Mr. Poppleton then offered the following amendment, to stand as section 4:

"The several towns, cities and villages may at their annual election, at 12 o'clock noon, by a vote of two-thirds of the electors present, raise such sum of money as they may deem necessary, to procure alcohol and spirituous liquors for medicinal and manufacturing purposes, and to pay the agent, who shall have a specific sum for his services; and it shall be the duty of the agent to keep an account of purchases and sales, which shall state the dates, names of purchasers, quantity and description of liquor, and for what purpose to be used as stated by the purchaser, which account shall at all times, in ordinary business hours, be open to the inspection of the electors; and the said agent shall not sell any more or other liquors than are ordered by the towns, cities or villages. If any person shall wilfully make false representations to procure liquors for the use of another person, he shall be subject to a penalty of five dollars."

Adopted, by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bristol,  
Burt,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Frey,  
John P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Haze,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McWhorter,  
Mathews,  
Mitchell,  
Norton,

Mr. Poppleton,  
Renwick,  
Richardson,  
Root,  
Seymour,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Warner,  
Winters,  
Worden,

37

NAYS:

Mr. Bates,  
Benedict,  
Canfield,  
Chapel,  
Ely,  
Ewing,  
Fitzsimmons,

Mr. Haight,  
Hudson,  
Ingalls,  
Irwin,  
McDougall,  
Marsh,  
H. Miller,

Mr. O'Callaghan,  
Ransom,  
Reno,  
Rider,  
Sherman,  
Toh,  
Traver,



Gale,  
Gulick,

O. L. Miller,  
Murphy,

Speaker,

26

On motion of Mr. Ellsworth,  
The House adjourned.

*Lansing, January 29, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Kriekerbocker.

Roll called; a quorum present.

The journal of yesterday was corrected and approved.

**PETITIONS.**

Mr. Goff presented the petitions of Caroline Torry and 55 other ladies, and of Edward D. Crane and 40 other voters;

Mr. Griswold: of S. H. Griffin and 31 others;

Mr. Gregory: of 50 voters and 51 inhabitants of Wayne county;

Mr. Arnold: of Adaline Broughton and 52 other ladies;

All praying for the passage of the Maine law.

Referred to the committee on that subject.

**REPORTS OF COMMITTEES.**

Mr. Mitchell, from the committee on education, submitted the following report:

The committee on education, to whom was referred

A bill to provide for the incorporation of institutions of learning,

Reported the same back with amendments and recommended its passage.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Burt, from the committee on internal improvement, submitted the following report:

The committee on internal improvement, to whom was referred the Senate bill for the construction of a ship canal around the Falls of St. Mary's River, have had the same under consideration, and report it back to the House with amendments thereto, ask the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Davis, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849,

Have had the same under consideration, and made sundry amendments thereto, recommend that it may pass as amended, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, and referred to the committee of the whole and placed on the general order.

Mr. H. Miller, from the committee of ways and means, submitted the following report :

The committee on ways and means, to whom was referred

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien,

Report that they have had the same under consideration, and in the absence of any reason being shewn why an extension of time in this case should be granted, and believing it to be bad policy to pass acts of this kind, unless urgent reasons are shown therefor, report the same back to the House without action, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 28, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to transmit herewith

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part-paid

five million loan bonds, approved April 1, 1848, and to inform the House that the Senate have passed the same by a two-thirds vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

The bill was read a first and second time, and referred to the committee of ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Craven gave notice that on some future day he would ask leave to bring in

A bill conferring on townships certain additional powers.

Mr. Green gave notice that he would on some future day bring in

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee.

On motion of Mr. Winters,

*Resolved*, That the committee on printing be instructed to report to this House without delay, whether the extra copies of the report of the Superintendent of Public Instruction, that was ordered, have been printed ; if not, whether they are to be, and if so, whether at this session, or not until 1855.

Mr. Griswold introduced

Joint resolution authorizing the Auditor General to issue to Isaac N. Swain, a duplicate warrant.

Laid over one day under the rule.

Mr. Gregory gave notice that on some future day he intended to introduce

A bill to amend chapters 23 and 24, of the revised statutes of 1846, relative to highways.

Mr. H. Miller introduced

Joint resolution relative to contingent fund.

Laid over one day under the rule.

Mr. Gregory, pursuant to notice asked and obtained leave to introduce

A bill to amend act 137, of the session laws of 1848.

Read a first and second time and referred to the committee on roads and bridges.

Mr. Root pursuant to notice, asked and obtained leave to introduce

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Jackson.

Read a first and second time and referred to the committee on the organisation of towns and counties.

**THIRD READING OF BILLS.**

A bill to amend section 1 of an act entitled an act to amend an act to incorporate the village of Hillsdale,

Was read a third time and passed by the following vote:

**YEAS.**

|              |              |                |
|--------------|--------------|----------------|
| Mr. Adams,   | Mr. Gregory, | Mr. Parkhurst, |
| Arnold,      | Green,       | Ransom,        |
| Bailey,      | Haight,      | Reno,          |
| Bates,       | Hand,        | Renwick,       |
| Benedict,    | Hase,        | Richardson,    |
| Bristol,     | Hudson,      | Rider,         |
| Bonine,      | Ingalls,     | Root,          |
| Burt,        | Irwin,       | Seymour,       |
| Canfield,    | Jennison,    | Sheldon,       |
| Chittenden,  | Jones,       | Shoemaker,     |
| Craven,      | Lathrop,     | Smith,         |
| Davis,       | Levell,      | Strang,        |
| Ellsworth,   | Matthews,    | Sutherland,    |
| Ely,         | H. Miller,   | Thompson,      |
| Ewing,       | Mitchell,    | Toll,          |
| Fitch,       | Morton,      | Traver,        |
| Fitzsimmons, | Murphy,      | Warner,        |
| Gale,        | Norton,      | Winters,       |
| J. Gleason,  | O'Callaghan, | Worden,        |
| Goff,        | Palmer,      | Speaker,       |

60

**NAYS.**

0

A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw,

Was read the third time and passed as follows:

**YEAS:**

|            |              |              |
|------------|--------------|--------------|
| Mr. Adams, | Mr. Gregory, | Mr. Norton,  |
| Arnold,    | Green,       | O'Callaghan, |
| Bailey,    | Griswold,    | Palmer,      |
| Bates,     | Haight,      | Parkhurst,   |
| Benedict,  | Hand,        | Poppleton,   |

Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,  
J. P. Gleason,  
Goff,

Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
O. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Shelden,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

64

NAYS:

0

On motion of Mr. Ewing,

The same was ordered to take effect immediately.

A bill to organize certain townships in the county of Ontonagon,  
in the Upper Peninsula,

Was read a third time and passed by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,

Mr. Gregory,  
Green,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Norton,  
Palmer,

Mr. Parkhurst,  
Poppleton,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Speaker,

59

NAYS:

0

A bill entitled a bill to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act number 39 of the session laws of 1849, was read a third time; when,

On motion of Mr. Warner,

The same was recommitted to the committee on the organization of towns and counties, with instructions to strike out all of section one, between the word "is," in the second line, and the word "be," in the fifth line of said section, and insert in lieu thereof, "west of the meridian line."

The bill to complete the organization of the county of Grand Traverse, and to divide the same into townships,

Was read the third time and passed as follows:

YEAS:

|                |               |             |    |
|----------------|---------------|-------------|----|
| Mr. Adams,     | Mr. Green,    | Mr. Palmer, |    |
| Arnold,        | Griswold,     | Parkhurst,  |    |
| Bailey,        | Gulick,       | Poppleton,  |    |
| Bates,         | Haight,       | Ransom,     |    |
| Benedict,      | Hand,         | Reno,       |    |
| Bristol,       | Haze,         | Renwick,    |    |
| Bonine,        | Hudson,       | Richardson, |    |
| Burt,          | Ingalls,      | Rider,      |    |
| Canfield,      | Irwin,        | Root,       |    |
| Chapel,        | Jennison,     | Seymour,    |    |
| Chittenden,    | Jones,        | Shoemaker,  |    |
| Craven,        | Lovell,       | Smith,      |    |
| Davis,         | McDougall,    | Strang,     |    |
| Ellsworth,     | McWhorter,    | Sutherland, |    |
| Ely,           | Matthews,     | Thompson,   |    |
| Ewing,         | H. Miller,    | Toll,       |    |
| Fitch,         | C. L. Miller, | Traver,     |    |
| Fitzsimmons,   | Murphy,       | Warner,     |    |
| Frey,          | Norton,       | Winters,    |    |
| James Gleason, | O'Callaghan,  | Speaker,    | 60 |
|                | NAYS:         |             | 0  |

On motion of Mr. Strang,

It was then ordered by the constitutional majority, that the same take effect immediately.

A bill to attach the counties of Gladwin, Aronac, Isabella and Iosco to Saginaw county and for other purposes,

Was taken up for a third reading, when by unanimous consent of the House, a new section was added thereto.

On motion of Mr. Sutherland,

As follows :

Sec. 8. The vote given in the said county of Iosco for the office of Representative, shall be returned by the township or townships of said county of Iosco, to the county seat of Cheboygan, and counted with the votes of that representative district.

The bill was then read the third time and passed as follows :

YEAS :

|                |               |             |    |
|----------------|---------------|-------------|----|
| Mr. Adams,     | Mr. Gregory,  | Mr. Palmer, |    |
| Arnold,        | Griswold,     | Parkhurst,  |    |
| Bates,         | Hand,         | Poppleton,  |    |
| Benedict,      | Hase,         | Ransom,     |    |
| Bristol,       | Hudson,       | Renwick,    |    |
| Bonine,        | Ingalls,      | Richardson, |    |
| Burt,          | Irwin,        | Rider,      |    |
| Canfield,      | Jennison,     | Seymour,    |    |
| Chapel,        | Jones,        | Shelden,    |    |
| Chittenden,    | Lovell,       | Shoemaker,  |    |
| Craven,        | Matthews,     | Smith,      |    |
| Ellsworth,     | H. Miller,    | Strang,     |    |
| Fitch,         | O. L. Miller, | Sutherland, |    |
| Fitzsimmons,   | Mitchell,     | Traver,     |    |
| Frey,          | Murphy,       | Warner,     |    |
| James Gleason, | Norton,       | Winters,    |    |
| Goff,          | O'Callaghan,  | Speaker,    | 51 |
|                | NAYS :        |             | 0  |

UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up the bill prohibiting the manufacture of intoxicating beverages and the traffic therein, the pending question being on its engrossment for a third reading.

Mr. Strang moved that the bill be referred to the committee on judiciary, with instructions to strike out,

1st. So much of the bill as provides for submitting it to the vote of the people, and postpones the time of its taking effect upon a majority of votes being against it.

2d. So much of said bill as produces new and peculiar tests of the qualifications of jurors.

3d. So much of said bill as produces any new rule of law as to the admissibility and competency of testimony.

4th. That they further make such changes in the phraseology of the bill as shall be necessary (if any) in consequence of such stri-

king out, that the true intent of the bill as it remains, shall be expressed in proper language,

And asked that the question be taken separately on each branch of the instructions.

Agreed to.

The question was then first taken on the first branch and lost, as follows:

#### YEAS:

|              |            |               |
|--------------|------------|---------------|
| Mr. Adams,   | Mr. Gale,  | Mr. Matthews, |
| Bailey,      | Gregory,   | Renwick,      |
| Bristol,     | Green,     | Richardson,   |
| Bonine,      | Haight,    | Root,         |
| Burt,        | Ingalls,   | Seymour,      |
| Craven,      | Irwin,     | Shoemaker,    |
| Ellsworth,   | Jones,     | Strang,       |
| Ely,         | Lathrop,   | Thompson,     |
| Fitzsimmons, | Lovell,    | Traver,       |
| Frey,        | McWhorter, | Winters,      |

30

#### NAVS:

|                |               |                |
|----------------|---------------|----------------|
| Mr. Arnold,    | Mr. Haze,     | Mr. Poppleton, |
| Bates,         | Hudson,       | Ransom,        |
| Benedict,      | Jennison,     | Reno,          |
| Canfield,      | McDougall,    | Rider,         |
| Chapel,        | Marsh,        | Sherman,       |
| Chittenden,    | H. Miller,    | Sheldon,       |
| Davis,         | C. L. Miller, | Smith,         |
| Ewing,         | Mitchell,     | Sutherland,    |
| James Glendon, | Morton,       | Toll,          |
| Goff,          | Murphy,       | Warner,        |
| Griswold,      | Norton,       | Worden,        |
| Gulick,        | O'Callaghan,  | Speaker,       |
| Hand,          | Palmer,       |                |

38

Mr. Strang then withdrew his motion.

Mr. Gregory moved to amend section 20, by striking out the word "October," and inserting the word "August," in its place.

Lost.

Mr. Reno then moved to amend as follows:

Section 20, line 9, after "yes," insert "and where the majority in any town, city or village shall vote "yes," the law shall be in force, and where the majority shall vote "no," it shall not be in force."

Lost.



Mr. Craven moved a reconsideration of the vote taken yesterday, on the amendment to the second section, offered by Mr. Ransom, providing for the manufacture of alcohol and high-wines for market.

Lost.

Mr. Craven then offered the following amendment:

Section 2. Nothing in this act shall be construed to prohibit the manufacture of alcohol or high-wines, or other intoxicating liquors for market, without the limits of this State, or for supplying the several townships, cities or villages of this State with the quantity they may require to carry out the provisions of this act; *Provided*, That said manufacturer shall first give bonds in the sum of three thousand dollars, with sufficient sureties, executed to the people of the State of Michigan, that he will in no way violate the provisions of this act.

Mr. Ellsworth moved to amend the amendment by striking out the words "or other intoxicating liquors."

Mr. Chittenden moved to lay the last motion on the table.

Lost.

The question then being on the amendment to the amendment,  
Pending which,

Mr. Poppleton offered the following as a substitute for both, to-wit:

The boards of supervisors of the several counties, on the next Wednesday after the second Monday of October annually, may authorize some person in writing, to manufacture alcohol and spirituous or intoxicating liquors for medicinal and manufacturing purposes, at a suitable place within their respective counties, to be exported out of the State; and such authority given as aforesaid, shall continue for the space of one year from the date thereof, unless sooner revoked and annulled as hereinafter provided.

Every person so authorized, shall receive a certificate from the said supervisors, giving him authority to manufacture alcohol and spirituous or intoxicating liquors, as aforesaid, at such place as shall be precisely designated; but no such authority shall be granted or renewed in any subsequent year, unless the electors of the town, city or village in which the proposed location is situated, by a vote

of two-thirds of those present at their next preceding annual election, shall request the board of supervisors to locate such manufactory within their bounds, and said certificate shall not be delivered until such persons shall have executed and delivered to said board, a bond with three good and sufficient sureties, in the sum of two thousand dollars, in substance as follows.

Which, on motion of Mr. Ewing,

Was laid on the table.

The question was then taken on the amendment of Mr. Ellsworth to the amendment of Mr. Craven and agreed to.

The question was then taken on the amendment as amended, and lost, by the following vote:

#### YEAS:

Mr. Arnold,  
Bates,  
Benedict,  
Craven,  
Davis,  
Ewing,  
Fitch,  
Goff,  
Green,  
Gulick,

Mr. Hand,  
Hudson,  
Jennison,  
Lovell,  
McDougall,  
Marsh,  
C. L. Miller,  
Mitchell,  
Morton,  
Norton,

Mr. O'Callaghan,  
Parkhurst,  
Poppleton,  
Ransom,  
Rider,  
Sheldon,  
Smith,  
Strang,  
Warner,  
Speaker,

30

#### NAYS:

Mr. Adams,  
Bristol,  
Bonine,  
Burt,  
Chaffield,  
Chapel,  
Chittenden,  
Ellsworth,  
Fly,  
Fitzsimmons,  
Frey,  
James Gleason,

Mr. Gregory,  
Griswold,  
Haight,  
Hase,  
Irwin,  
Jesse,  
Lathrop,  
McWhorter,  
Matthews,  
H. Miller,  
Murphy,  
Reno,

Mr. Renwick,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Shoemaker,  
Thompson,  
Tell,  
Traver,  
Winters,  
Worden,

25

Mr. Bailey moved to strike out all after the enacting clause, and insert Senate bill No. 36.

Pending which,

On motion of Mr. Morton,

The bill was ordered laid on the table.

The House then went into committee of the whole on the general order,

Mr. Gale in the chair.

After spending some time thereon, the committee rose, and by their chairman, reported back to the House,

1. A bill providing for the allowance of costs in certain cases;
2. A bill to fix the grade and mode of construction of the Pontiac and Groveland Plank Road Company; and
3. A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien;

The two first with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of all said bills.

The report was accepted and the committee discharged.

The amendments to the first named were concurred in, and the bill ordered to be engrossed and read the third time.

Mr. Mitchell moved to suspend the rules, to put the bill last named on its final passage.

Agreed to.

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

#### YEAS:

|                |            |                |    |
|----------------|------------|----------------|----|
| Mr. Adams,     | Mr. Goff,  | Mr. Poppleton, |    |
| Arnold,        | Green,     | Ransom,        |    |
| Bailey,        | Griswold,  | Renwick,       |    |
| Bates,         | Gulick,    | Richardson,    |    |
| Benedict,      | Haight,    | Rider,         |    |
| Bonine,        | Hand,      | Root,          |    |
| Burt,          | Ingalls,   | Seymour,       |    |
| Canfield,      | Jennison,  | Sheldon,       |    |
| Chapel,        | Jones,     | Shoemaker,     |    |
| Craven,        | Lovell,    | Smith,         |    |
| Davis,         | McDougall, | Sutherland,    |    |
| Ellsworth,     | McWhorter, | Toll,          |    |
| Ely,           | Matthews,  | Traver,        |    |
| Ewing,         | Mitchell,  | Warner,        |    |
| Fitzsimmons,   | Morton,    | Winters,       |    |
| Frey,          | Murphy,    | Worden,        |    |
| James Gleason, | Norton,    | Speaker,       | 51 |

#### NAYS:

|              |             |   |
|--------------|-------------|---|
| Mr. Gregory, | Mr. Strang, | 2 |
|--------------|-------------|---|

On motion of Mr. Ellsworth;

It was then ordered by a two-thirds vote of all the members elect, that the same should take immediate effect; when,

On motion of Mr. Fitch,

The House adjourned to 10 o'clock on Monday morning.

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*Lansing, January 31, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The roll was called and a quorum found to be present.

The journal was then corrected and approved.

PETITIONS PRESENTED.

Mr. Haze presented the petition of 23 voters and 37 others, not voters, of Lapeer county;

Mr. Renwick: of James McMahon and 3 others, of Ann Arbor; of Elizabeth F. Baldwin and 40 others, not voters; of Sybil Lawrence and 23 others, not voters;

Mr. Ingalls: of the Wis-te-yah band of Indians, in council assembled, and of Mis-i-au-quette and 53 other christian Indians;

Mr. Craven: of David Sevy and 29 others, of Clinton county, and of Irwin D. Richmond & Co.;

All praying for the passage of the Maine law.

Mr. Bonine: of A. J. Smith and 59 others, of Cass county, asking for a law to regulate the draining of marshes.

Referred to the committee on public lands.

Mr. Ingalls: the remonstrance of Aaron Benedict and 550 others, and of C. Elvert and 50 others, of Ionia county, against the passage of a general rail road law.

Referred to committee on banks and incorporations.

REPORTS.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and presented to the Governor for approval, on Saturday,

An act to amend section 24 of chapter 16 of the revised statutes of 1846, entitled of the powers and duties of townships and election and the duties of township officers; also,

An act to organize the township of Drummond; also,

An act relative to the bonds of banks deposited in the treasury of the State;

An act to change the name of the township of Northampton in the county of Saginaw, to Chessening; also,

An act to amend the sixth section of chapter 11, title 2, of revised statutes of 1846; also,

An act to provide for filing certain reports in the Auditor General's office, and for other purposes; also,

Concurrent resolution relative to the survey and dimensions of Stannard's Rock, in Lake Superior; also,

An act to organize the county of Emmett; also,

An act to amend chapter 15 of revised statutes of 1846; also,

An act to organize the county of Cheboygan; also,

An act to amend section 5, chapter 50, of the revised statutes of 1846, relative to unauthorized banking, &c.

Mr. Warner, from the committee on the organization of towns and counties; submitted the following report:

The committee on towns and counties, to whom was recommitted House bill No. 51, with instructions, report the same back, amended pursuant to instructions, and ask to be discharged.

The report was accepted, the committee discharged, and the bill referred to the order of its third reading.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred

A bill to amend an act entitled an act to amend an act to incorporate the village of Jackson,

Have had the same under consideration, and now report the same back to the House, respectfully recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on judiciary, reported

A bill to amend sections 3, 16, 46, 48, 49, 54, 55, 58, 59, 60, 96, 131, 140, 141, 142, 143, 152, 153, 154, 155, 158, 159, 160, 164,

169, 170, 172 and 174, and to repeal sections 144, 145, 161 and 162 of chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace,

Recommended its passage, and asked to be discharged.

The report was accepted and the committee discharged, the bill read a first and second time, referred to committee of the whole, and placed on the general order.

Mr. H. Miller, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred the petition of Geo. W. Barross and 128 others, asking an alteration in the highway tax law, have had the same under consideration, herewith report a bill to provide for the prayer of the petitioners, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill, entitled

A bill to provide for the expenditure of highway labor,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Also, the following report:

The committee of ways and means, to whom was referred a bill to amend chapter 24 of the revised statutes of 1846, report the same back to the House, recommend its reference to the judiciary committee, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged, and the bill referred to the committee on the judiciary.

Mr. Parkhurst, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred numerous petitions praying for the passage of a general railroad law, have had the same under consideration; and a bill to provide for the incorporation of railroad companies was reported by your committee on the twenty-first of the present month, and we would respectfully report the petition back to the House, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged, and the petitions referred to the committee of the whole.

Also the following:

The committee on banks and incorporations, to whom was referred manuscript bill of the Senate, which was passed January 26, entitled

A bill to amend section 2 of an act entitled an act to incorporate the Michigan mining company, approved March 30, 1848,

Have had the same under consideration and report the same back, recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Morton, from committee of ways and means, submitted the following report :

The committee of ways and means, to whom was referred

Senate bill No. 26, to provide for funding the outstanding internal improvement warrants of this State, and the interest thereon, and for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds,

Have considered the same, report it back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill referred to committee of the whole and placed on the general order.

#### MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Lansing, January 29, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to provide for the disposition of prisoners apprehended within the county of Montcalm,

In which the Senate have concurred by a vote of two-thirds of all the Senators elect; also,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1853,

In which the Senate have concurred by a majority vote of all the Senators elect.

Also, herewith is transmitted

A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Yours, &c.,

O. W. MOORE,

*Sec. Senate.*

The first and second named were severally ordered enrolled.

The last named was read a first and second time and referred to the judiciary committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ellsworth gave notice that he would on some future day introduce

A bill conferring upon the township board of the several townships the power to extend the time for the collection and return of taxes.

On motion of Mr. Norton,

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of giving the swamp lands to the several counties in which they are situated, requiring the counties to cause them to be drained, and giving to the several counties the proceeds of the sale after paying the expense of draining; all swamp lands in the several counties to be kept as a fund for the support of schools, and report by bill or otherwise, at their earliest convenience.

Mr. Ewing gave notice that on some future day he would ask leave to introduce

A joint resolution relative to mechanical trades in the State prison: also,

Joint resolutions relative to a certain State tax claimed to be due from the county of Washtenaw.

Mr. Richardson, pursuant to previous notice, asked and obtained leave to introduce

A bill to authorize the Auditor General to credit on the books of his office certain delinquent taxes, heretofore credited to the county of Saginaw, and to adjust such accounts between said county and State,



Which was read a first and second time and referred to the committee on judiciary.

Mr. Chittenden offered the following resolution:

*Resolved*, That the committee on State affairs be requested to report to this House at their earliest convenience, joint resolution of the 19th inst., offered by Mr. O'Callaghan, appropriating \$1,000 for a painting of General Cass.

Adopted, by the following vote:

YEAS:

Mr. Arnold,  
Bailey,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitzsimmons,  
J. Gleason,  
J. P. Gleason,  
Gulick,

Mr. Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Richardson,  
Rider,  
Seymour,  
Sherman,  
Shoemaker,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

44

NAYS:

Mr. Adams,  
Bates,  
Bonine,  
Chapel,  
Craven,  
Frey,  
Gale,  
Goff,

Mr. Gregory,  
Green,  
Haight,  
Hand,  
Hudson,  
Lovell,  
McWhorter,  
Matthews,

Mr. C. L. Miller,  
Norton,  
Renwick,  
Root,  
Sheldon,  
Smith,  
Thompson,  
Winters,

24

Mr. Parkhurst offered the following resolution:

*Resolved*, That the chairman of the standing committee and the select committee on the Maine law, be authorized to employ a clerk, when in their judgment one is needed.

Which, on motion of Mr. Worden,

Was ordered laid on the table.

Mr. Morton moved to commit to the judiciary committee,

The bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

With instructions to attach thereto a just and reasonable clause, submitting it to the people, and to recommend such other amendments as they may think necessary under the constitution.

Mr. Mitchell moved to re-commit to the select committee on that subject.

Accepted by Mr. Morton.

Pending the question thereon,

Mr. Ellsworth moved to lay the whole subject on the table.

Lost.

The motion of Mr. Morton was then agreed to.

#### THIRD READING OF BILLS.

The bill to provide for the allowance of costs in certain cases, was read the third time, when

Mr. Renwick moved that it be indefinitely postponed.

Lost.

The bill was then passed by the following vote:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Fitzsimmons,  
Frey,  
Green,  
Gulick,

Mr. Hand,  
Hudson,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
C. L. Miller,  
Mitchell,  
Palmer,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Reno,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Shelden,  
Smith,  
Strang,  
Sutherland,  
Warner,  
Winters,  
Speaker,

44

#### NAYS:

Mr. Bates,  
Benedict,  
Chittenden,  
Ely,  
Ewing,  
Gale,  
J. P. Gleason,

Mr. Goff,  
Gregory,  
Haight,  
Haze,  
Ingalls,  
Morton,

Mr. Murphy,  
Renwick,  
Shoemaker,  
Thompson,  
Traver,  
Worden,

19

#### UNFINISHED BUSINESS.

The joint resolution relative to a grant of lands by Congress for internal improvements, was taken up, read a third time and passed.

The bill to fix the grade and mode of construction of the Groveland and Pontiac plank road,

Was taken up; and the question being on concurring in the amendment made thereto in committee of the whole,

Pending which,

On motion of Mr. Marsh,

The same was indefinitely postponed.

Joint resolution relative to the contingent fund, was read the third time and passed.

Joint resolution authorizing the Auditor General to draw a new land warrant in the place of one lost, was read the third time, and

On motion of Mr. Ransom,

Ordered laid on the table.

Mr. Mitchell, under a suspension of the rule, ordered for the purpose, moved that the bill to provide for the construction of a ship canal around the Falls of St. Mary's River, be taken from the general order of the day for this afternoon.

Agreed to.

The House then went into committee of the whole on the general order,

Mr. Davis in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House that they had had under consideration,

A bill to provide for the incorporation of railroad companies,

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted; when,

On motion of Mr. Ewing,

The House adjourned.

---

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

## PETITIONS.

Mr. Bates presented the petition of J. Mulholland and 49 others, in relation to railroads crossing farms.

Mr. Fitch: the petitions of 50 voters and 97 not voters, of Ingham county, praying for the passage of a law like the Maine law.

Referred to the committee on that subject.

## REPORTS OF STANDING COMMITTEES.

Mr. H. Miller, from the committee on printing, submitted the following report:

The committee on printing, to whom was referred a resolution of this House, instructing them to report to this House without delay, whether the extra copies of the report of the Superintendent of Public Instruction, that were ordered, have been printed; if not, whether they are to be; and if so, whether at this session or not until 1855, report that in obedience to the same, the undersigned called upon the printer for the State, and was informed by him that it would be impossible to print the same within the present session of the Legislature. Respectfully submitted.

The report was accepted and the committee discharged.

Mr. Ewing, from the committee on education, submitted the following report:

The committee on education, to whom was referred

A bill authorizing the supervisors of the townships of Scio and Webster, in Washtenaw county, to raise \$200 by an assessment on all the taxable property in fractional school district No. 9, in said townships, and to authorize the township treasurers of said townships to collect and pay over the same,

Beg leave to report that they have had the same under consideration, and now return it to the House and earnestly recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole.

Mr. Seymour, from the committee on State affairs, submitted the following report:

The committee on State affairs, in answer to the call on them for a report on the resolution referring to them a resolution for purchasing

a portrait of the Hon. Lewis Cass, report that no such resolution has been referred or delivered to them.

The report was accepted and the committee discharged.

MESSAGES.

The following message was announced from the Governor;

EXECUTIVE OFFICE,  
Lansing, Jan. 29, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to organize the county of Emmet;

An act to amend chapter 15 of the revised statutes of 1846;

An act to organize the county of Cheboygan;

An act to amend section 5, chapter 50, of the revised statutes of 1846, relative to unauthorized banking, &c.;

An act to provide for filing certain reports in the Auditor General's office, and for other purposes;

An act to amend section 24, of chapter 16 of the revised statutes of 1846, entitled of the powers and duties of townships and election and the duties of township officers;

An act to organize the township of Drummond;

An act relative to the bonds deposited by banks in the treasury of this State;

An act to change the name of the township of Northampton, in the county of Saginaw, to Chessening;

An act to amend the sixth section of chapter 11, title 2, of revised statutes of 1846;

Concurrent resolution relative to Stannard's Rock, in Lake Superior.

R. McCLELLAND.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Frey offered the following resolution:

*Resolved*, That House bill No. 28, to provide for the incorporation of Railroad companies, be made the special order of to-morrow and every day thereafter until disposed of.

Mr. Chittenden called for the yeas and nays thereon; but they were not ordered.

Mr. Strang moved a call of the House.

Call ordered.

The roll was called, when it appeared that Messrs. Chapel, Craven, Griswold, Hudson, Parkhurst, Root and Sutherland were absent without leave.

Messrs. Griswold and Hudson were excused on account of sickness.

Mr. Thompson then moved that all further proceedings under the call be dispensed with.

But the motion did not prevail.

On motion of Mr. James Gleason,

The Sergeant-at-Arms was then dispatched to procure the attendance of the absentees.

Several of the absentees soon after appearing at the bar of the House, were permitted to make their excuses, and were excused; when,

On motion of Mr. Parkhurst,

All further proceedings under the call were dispensed with.

The question recurring on the adoption of the resolution,

Pending which,

Mr. Ellsworth moved to amend by striking out all after "to-morrow."

Mr. James Gleason moved to lay the whole subject on the table.

Lost, by the following vote:

#### YEAS:

Mr. Adams,  
Benedict,  
Burt,  
Canfield,  
Chittenden,  
Craven,  
Ellsworth,  
Ewing,  
Fitch,  
Gale,  
J. Gleason,

Mr. J. P. Gleason,  
Gulick,  
Haze,  
Ingalls,  
Jones,  
Lathrop,  
Lovell,  
Marsh,  
H. Miller,  
Mitchell,  
O'Callaghan,

Mr. Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Sherman,  
Strang,  
Toll,  
Warner,  
Winters,

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#### NAYS:

Mr. Arnold,  
Bailey,  
Bates,

Mr. Green,  
Haight,  
Hand,

Mr. Parkhurst,  
Rider,  
Root,

Bristol,  
Bonine,  
Chapel,  
Davis.  
Ely,  
Fitzsimmons,  
Frey,  
Goff,  
Gregory,

Jennison,  
McDougall,  
McWhorter,  
Matthews,  
C. L. Miller,  
Morton,  
Murphy,  
Norton,  
Palmer,

Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Thompson,  
Traver,  
Worden,  
Speaker,

35

Mr. Ellsworth then withdrew his amendment, and moved to amend so as to make it the special order of the day for Wednesday next.

Lost.

When, on motion of Mr. Morton,

All after "order." was stricken out, and "to-morrow," inserted.

The resolution was then adopted.

On motion of Mr. Gregory,

*Resolved*, That the committee on education be requested to report immediately upon the propriety of establishing a system of free schools, in accordance with a resolution which passed this House on the thirteenth inst.

Mr. Ellsworth gave notice that he should on some future day ask leave to introduce

A bill to amend section one of an act entitled an act to amend chapter ninety-four of the revised statutes, in relation to criminal proceedings.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature of 1853; and,

An act to provide for the disposition of prisoners apprehended within the county of Montcalm.

#### THIRD READING OF BILLS.

. A bill to restore to the township of Rives, in the county of Jackson, all that part of said township detached by act No. 39, of the session laws of 1849,

Was read a third time and passed by the following vote:

## YEAS:

Mr. Adams,  
 Arnold,  
 Benedict,  
 Bristol,  
 Burt,  
 Canfield,  
 Chapel,  
 Craven,  
 Davis,  
 Ellsworth,  
 Ely,  
 Fitzsimmons,  
 Frey,  
 Goff,  
 Gregory,  
 Green,  
 Gulick,

Mr. Hand,  
 Haze,  
 Ingalls,  
 Irwin,  
 Lathrop,  
 Lovell,  
 McDougall,  
 McWhorter,  
 Marsh,  
 Matthews,  
 H. Miller,  
 Mitchell,  
 Murphy,  
 Norton,  
 Parkhurst,  
 Poppleton,

Mr. Ransom,  
 Renwick,  
 Richardson,  
 Rider,  
 Root,  
 Seymour,  
 Sheldon,  
 Smith,  
 Strang,  
 Thompson,  
 Toll,  
 Traver,  
 Warner,  
 Winters,  
 Worden,  
 Speaker,

49

## NAYS:

Mr. Chittenden,

1

The House then went into committee of the whole on the special order for the afternoon, being

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Mr. Mitchell in the chair.

After spending some time thereon, the committee rose, and by their chairman reported the same back to the House with amendments, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, and

On motion of Mr. Ely,

The several amendments concurred in, and the bill ordered to be engrossed and read the third time; when,

On motion of Mr. Adams,

The House adjourned.

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*Lansing, February 1, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and a quorum of members found to be present.

The journal was then corrected and approved.



## PETITIONS PRESENTED.

Mr. Arnold presented the petition of D. B. Vorrington and 38 other legal voters of Branch county;

Mr. Haight: of 80 voters and 87 others, not voters, and of 49 ladies, of Washtenaw county, praying for the Maine law.

Referred to the select committee on petitions for the Maine law.

Mr. Reno: of John R. Williams, B. F. H. Witherell, John E. Schwarz, and 282 other citizens of Wayne county, praying that chapter 14 of the act to provide for organizing an active militia, be re-enacted.

Referred to the committee on militia.

Mr. Gale: of C. N. Beecher and 7 others of Genesee county, for better guarding the cancelment of tax titles.

Referred to the committee on the judiciary.

## REPORTS.

Mr. Burt, from the committee on internal improvement, submitted the following report:

The committee on internal improvement, to whom was referred

A bill authorizing the construction of the Mackinac road,

Have had the same under consideration, and beg leave to offer the accompanying bill as a substitute for the same, and recommend its passage.

The report was accepted, the committee discharged, the bill was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred

Senate bill ceding jurisdiction to the United States over lot number 1, section 24, in township number 22 north of range 8 east,

Have had the same under consideration, and instruct their chairman to report the same back and recommend its passage.

The report was accepted and the committee discharged.

On motion of Mr. Chittenden,

The bill was recommitted to the committee on public lands, with instructions to insert a clause giving jurisdiction to the United States for light house purposes, at the mouth of Clinton river, and on the St. Clair flats.

Also the following :

The committee on public lands, to whom was referred the petition of Levi Johnson, asking for a free lease of certain primary school lands, have had the same under consideration, and instruct their chairman to report adverse to said petition, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Gleason, from the committee on agriculture and manufactures, submitted the following report:

The committee on agriculture and manufactures, to whom was referred sundry petitions of citizens of this State, asking for an appropriation in aid of the Michigan State Agricultural Society, have directed me, as their chairman, to report the same back to the House with the recommendation that the aid solicited be granted by the passage of Senate bill No. 48, making said appropriation, now before the House, and that the committee be discharged from the further consideration of said petitions.

The report was accepted and the committee discharged.

Mr. McDougall, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations to whom was referred

A bill to amend section 3, of an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved January 30, 1847,

Have had the same under consideration, and report the said bill back to the House and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Parkhurst, from committee on banks and incorporations, submitted the following report :

The committee on banks and incorporations, to whom was referred a bill to amend the charter of the Troy and Rochester Railroad Company, approved March 12, 1844, have had the same under consideration, and report the same back and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Morton, from the committee of ways and means, reported

A bill relative to surplus funds in the State Treasury;

Recommend its passage and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill read a first and second time, referred to committee of the whole and placed on the general order.

#### MESSAGES.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE, }  
Lansing, January 31, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

A joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1853.

R. McCLELLAND.

Also the following from the Senate :

SENATE CHAMBER, }  
Lansing, Jan. 31, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

1. A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners ;

2. A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Also, herewith is returned

3. A bill to amend section 49, of chapter 154 of the revised statutes of 1846,

In which the Senate have concurred with a substitute, by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect have ordered that the same take immediate effect,

and in which substitute the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec. Senate.*

The two first named bills were each read a first and second time, and referred to the committee on judiciary.

The question being on concurring in the Senate substitute to the third named,

Pending which,

On motion of Mr. Mitchell,

The same was committed to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Sutherland,

*Resolved*, That House bill No. 59 be taken from the committee of the whole and the general order and laid on the table.

Mr. Chittenden offered the following preamble and resolution :

*Whereas*, Preamble and joint resolution of Mr. O'Callaghan on the 19th ult., copy hereunto annexed, has been mislaid by the committee to whom it was referred ; therefore be it

*Resolved*, That the attached copy stand as a substitute for said preamble and resolution.

Lost.

Mr. Strang gave notice that he would on some future day ask leave to introduce

A bill to extend the judicial organization of the State.

Mr. Ransom offered the following resolution :

*Whereas*, It is reported that the papers relating to the Saginaw contested seat case, are either in the hands of the respective parties who prosecuted the same, or lost ; therefore

*Resolved*, That the committee on elections be relieved from further consideration of the subject, and that each of said parties be allowed to retain his own papers.

Adopted.

Mr. Ewing introduced the following joint resolutions :

1. A joint resolution relative to mechanical trades in the State Prison ; and

2. A joint resolution relative to a certain State tax claimed to be due from the county of Washtenaw.

Which were read a first and second time and referred, the first to the committee on State prison, and the second to committee of ways and means.

Mr. Griswold moved to take from the table,

Joint resolution authorizing the Auditor General to draw a new land warrant in place of one lost.

Agreed to.

And the joint resolution being put upon its final passage, it was passed.

Mr. Thompson gave notice that he would on some future day ask leave to introduce

A bill to vacate a part of North street, in the city of Adrian.

The House having reached the special order of the day, being a bill to provide for the incorporation of railroad companies, went into committee of the whole thereon,

Mr. Marsh in the chair;

And after spending some time thereon the committee rose and by their chairman reported back to the House that they had had the same under consideration, had made some progress and asked leave to sit again thereon.

The report was accepted and leave granted ; when

On motion of Mr. Ely,

The House adjourned.

---

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called; a quorum present.

On motion of Mr. Chittenden,

A call of the House was ordered.

The roll was called, when it appeared that Messrs. Bailey, Ellsworth, Fitch, John P. Gleason, Gregory, Haze, Hudson, Ingalls Lovell, McWhorter, Marsh, H. Miller, C. L. Miller, Mitchell, Poppleton, Renwick, Rider, Sherman, and Sheldon were absent without leave.

Mr. Hudson was excused on account of sickness ; when

On motion of Mr. Parkhurst,

All further proceedings under the call were dispensed with.

The following message was announced from the Governor :

EXECUTIVE OFFICE, }  
Lansing, January 31, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the disposition of prisoners apprehended in the county of Montcalm.

R. McCLELLAND.

Mr. Seymour offered the following resolution :

*Resolved*, That the eighth rule of the House be amended, by inserting after the word "question," in the second line, the words "or a longer time than ten minutes."

Mr. Ransom moved to lay on the table.

Lost.

Mr. Sherman moved to strike out "10," and insert "25."

Mr. Chittenden moved to insert "30."

Lost.

The question was then taken on "25," and lost.

Mr. Gulick moved to strike out "10," and insert "20."

Agreed to.

The question was then taken on the adoption of the resolution, and lost.

Mr. Sutherland moved to take from the table

A bill to furnish each school district in the State, the unabridged American Dictionary of the English language, by Noah Webster.

And that the same be now put upon its final passage.

Agreed to.

The bill was then read the third time, when

Mr. Warner moved to recommit to committee on education, with instructions to strike out the word "director," in the second line of section 3, and insert in lieu thereof, "township clerk," and also with instructions to report said bill complete.

To which Mr. Gregory offered the following substitute:

To recommit to committee, with instructions to modify the bill so that it shall be made the duty of the supervisor of each township to assess a tax on the taxable property in each school district in his town, sufficient to purchase one copy of Webster's Dictionary for said district.

Mr. Frey moved to lay the motion and substitute on the table.

Agreed to.

Mr. Ewing then moved to recommit, with instructions to add at the end of section 4:

"And it shall be the duty of the said Superintendent to cause notice for three weeks to be given in the Detroit Daily Free Press, and in the Detroit Daily Advertiser, of the number of copies of said dictionary required, and request proposals to be forwarded to him, stating the price at which bidders will furnish the necessary number of said dictionary per copy, and to be let to the lowest bidder."

Lost.

Mr. Strang then moved to recommit, with instructions as follows:

That the committee be instructed further to report an additional section providing the mode and proportion of payment in districts in two ore more townships; and also strike out "Webster's," and insert "Cobb's Walker's."

Lost.

Mr. Strang then moved to indefinitely postpone.

Lost, as follows:

#### YEAS:

Mr. Adams,  
Bonine,  
Ely,  
Ewing,  
Fitzsimmons,  
J. Gleason,

Mr. Goff,  
Gregory,  
H. Miller,  
C. L. Miller,  
Renwick,

Mr. Sherman,  
Sheldon,  
Strang,  
Thompson,  
Warner,

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#### NAYS:

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bart,  
Canfield,  
Chapel,  
Chittenden,

Mr. Gulick,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Jones,

Mr. Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Richardson,  
Rider,  
Seymour,

Craven,  
Davis,  
Ellsworth,  
Fitch,  
Frey,  
Gale,  
John P. Gleason,  
Green,  
Griswold,

Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
Mitchell,  
Morton,  
Murphy,

Shoemaker,  
Smith,  
Sutherland,  
Toll,  
Traver,  
Winters,  
Worden,  
Speaker,

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The question then recurring on the final passage of the bill,  
Pending the question on which,  
Mr. Chittenden moved that the House adjourn.  
Lost.

The bill was then passed by the following vote:

## YEAS :

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bart,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Fitch,  
Frey,  
Gale,  
John P. Gleason,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hudson,  
Ingalls,  
Jennison,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Richardson,  
Rider,  
Root,  
Shoemaker,  
Smith,  
Sutherland,  
Toll,  
Winters,  
Speaker,

44

## NAYS :

Mr. Adams,  
Bonine,  
Ellsworth,  
Ely,  
Ewing,  
Fitzsimmons,  
Goff,  
Gregory,

Mr. Hand,  
Haze,  
Jones,  
Mathews,  
H. Miller,  
C. L. Miller,  
Renwick,

Mr. Seymour,  
Sherman,  
Shelden,  
Strang,  
Thompson,  
Traver,  
Warner,

22

Mr. Ingalls gave notice that he would at some future day introduce

A bill to provide for the working certain highway taxes in the counties of Ionia and Eaton, and for other purposes.

On motion of Mr. Ransom,  
The House adjourned.



*Lansing, February 2, 1853.*

The House met and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

The roll was called, and a quorum found to be present.

The journal of yesterday was corrected and approved.

PETITIONS.

Mr. Bates presented the petitions of John Johnson and 25 others, and of C. S. W. Ransom and 50 others;

Mr. Worden: of Gideon G. King and 117 others;

Mr. Ingalls: of I. M. Higbey and 22 others, and of Daniel Harrington and 12 others;

Mr. Adams: of W. H. Douglass and 69 others; of W. B. Woodward and 63 others; of J. Selden and 83 others, and of Eliza A. Fisk and 125 others;

Mr. C. L. Miller: of Elizabeth L. Kellogg and 111 others; of Salmon Wallace and 91 others;

All praying for the passage of the Maine law.

Referred to select committee on that subject.

Mr. Canfield: of sundry persons for an amendment of the charter of Mt. Clemens, and proceedings of a meeting at Mt. Clemens;

Referred to the committee on towns and counties.

Mr. Shoemaker: of Edward E. Sargeant and 89 others, of the Grand River Valley; of B. Noble and other citizens of Kent county; of H. R. Rose and others; of 121 inhabitants of the Grand River Valley, praying the passage of a general railroad law;

Referred to committee on banks and incorporations.

Mr. Fitzsimmons: of Charles Clark and 25 others, of Hillsdale county, remonstrating against amendments of certain railroad charters;

Referred to committee on banks and incorporations.

Mr. Poppleton: of J. G. Clark and 91 others, of Jackson county, praying the passage of a resolution recommending the Governor to pardon Central Railroad prisoners, so called.

Referred to the committee on State prison.

Mr. Irwin: of Joseph Baron and 19 others, of Wayne county, for the enactment of a law regulating the fisheries.

Referred to the committee on State affairs.

Mr. Seymour: of 411-Indians, praying for the passage of Maine law; of which,

On motion of Mr. Sutherland,

Four hundred copies were ordered printed.

Mr. Griswold: of P. M. Weaver, L. Hunter, and 106 others, asking for the detaching a strip of land from Niles township, and attaching the same to the township of Buchanan.

Referred to the committee on public lands.

Mr. Ingalls: of John C. Blanchard and 54 others, of Ionia county, against the passage of a general railroad law.

Referred to the committee on banks and incorporations.

#### REPORTS.

Mr. Seymour, from the committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred the memorial of James D. Wright, of Springfield, Illinois, proposing to furnish the State with copies of the full length portraits of Washington and LaFayette, for the sum of one thousand dollars, have had the same under consideration, and report that they have no knowledge of the skill and reputation of the artist who offers them, and they return it back without action, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Also the following :

The committee on State affairs, to whom was referred the petition of C. F. How, R. P. Thompson, and 48 others, asking this Legislature to fix a standard measure for lime and ashes, have had the same under consideration, and report that it will appear by reference to the revised statutes, title 7, chapter 31, section 19, that provision is made for the measure of the articles stated in the petition, and they therefore report the same back without action, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Ellsworth, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred Senate bill number 4, entitled

A bill to amend sections 3 and 4, of an act to define the limits, jurisdiction and powers of the circuit courts,

Have had the same under consideration, and now report the same back to the House, and respectfully recommend its passage, and ask to be discharged.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on public lands, submitted the following report :

The committee on public lands, to whom was referred Senate bill ceding jurisdiction to the United States over certain territory, with instructions, report the same back to the House, and recommend its passage.

The report was accepted and the committee discharged, and the bill placed on the order of its third reading.

Mr. Mitchell, from committee on judiciary, submitted the following report:

The committee on the judiciary have had under consideration,

A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts,

To which they have made an amendment, and recommend its passage.

Also,

A bill to amend section 2 of chapter 22 of the revised statutes, and

A bill to amend section 61, chapter 14, of revised statutes,

And recommend their passage.

The report was accepted, the committee discharged, and the bills severally referred to committee of the whole and placed on the general order.

Mr. Sutherland, from committee on judiciary submitted the following report :

The committee on the judiciary to whom was referred

A bill to authorize the Auditor General to credit on the books of his office certain delinquent taxes heretofore returned from the county

of Tuscola, and credited to the county of Saginaw, and to adjust such accounts between said counties,

Have had said bill under consideration, and instruct me to report the same back to the House without amendment, to recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations have instructed me as their chairman to report the following bills, viz :

A bill to amend sections 13 and 15, of an act to incorporate the Farmers' and Merchants' Bank of Ann Arbor ;

A bill to amend sections 13 and 15 of an act to incorporate the president, directors and company of the Peninsular Bank ;

A bill to amend sections 11 and 13 of an act to incorporate the stockholders of the Michigan Insurance Company, approved March 28, 1849, and

A bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' & Mechanics' Bank of Michigan.

The report was accepted and the committee discharged, the bills severally read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Ransom, from the committee on judiciary, submitted the following report :

The committee on judiciary, to whom was referred

A bill for regulating and defining the fees of judges of the court of probate ; also,

A bill to amend section 18, chapter 25, title 6 of the revised statutes of 1846 ; and also,

A bill to amend section 34, chapter 20, title 5 of the revised statutes of 1846 ; and also,

A bill to amend chapter 24 of the revised statutes of 1846, relative to the powers and duties of overseers of highways ;

And also the petition of C. N. Beecher and 7 others, citizens of Genesee county, for the better guarding of tax titles, have considered the same respectively, and recommend that they do not pass, ask to be discharged, and recommend that the petitioners have leave to withdraw their petition.

The report was accepted and the committee discharged, and

On motion of Mr. Mitchell,

The bills were severally indefinitely postponed, and leave granted the petitioners to withdraw their petition.

Also the following:

The committee on the judiciary, to whom was referred a bill to amend section 49 of chapter 154 of the revised statutes of 1846, heretofore passed by the House, to which certain amendments were proposed and adopted by the Senate, have considered said amendments, and now beg leave to report said bill, as amended by the Senate, back to the House, recommend that the House do not concur in said amendments, and ask to be discharged.

The report was accepted and the committee discharged.

The question being taken on non-concurring in the substitute, it was non-concurred in.

Also the following:

The committee on the judiciary, to whom was referred the petition of Isaac Turner, for leave to purchase certain State building lands, have considered the same, and beg leave to report the same back to the House with the accompanying preamble and joint resolution, of which they recommend the passage, and ask to be discharged.

The report was accepted, the committee discharged, and the preamble and joint resolution referred to committee of the whole and placed on the general order.

Mr. Sutherland, from the same committee, submitted the following report:

The committee on the judiciary, to whom was referred Senate bill No. 16, entitled

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners,

Have had the same under consideration, and instruct me to report the same back to the House without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

On motion of Mr. Sutherland,

The bill was laid on the table.

Mr. Poppleton, from the select committee on the Maine law, submitted the following report:

The select committee, to whom was referred the bill to prohibit the manufacture of intoxicating beverages and the traffic therein, with instructions, have performed that duty, and beg leave to report the bill back to the House, recommend its passage as amended, and ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered to be engrossed and read a third time.

#### MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER, }  
Lansing, February 1, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to organize certain townships in the county of Ontonagon in the Upper Peninsula ;

Joint resolution relative to contingent fund ;

In which the Senate have concurred by a two-thirds vote of all the Senators elect.

Also,

A bill to attach the counties of Midland, Aranac, Gladwin, Isabella and Iosco to the county of Saginaw, and for other purposes ;

A bill to complete the organization of the county of Grand Traverse ;

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect.

Very Respectfully,

O. W. MOORE,

Sec'y. Senate.

The bills were severally ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Parkhurst moved that Senate bill number 51, to provide for the discharge of certain duties required to be performed by circuit court commissioners, be taken from the table and referred to committee of the whole.

Agreed to.

Mr. Ingalls, pursuant to previous notice, asked and obtained leave to introduce

A bill to provide for the appropriation of certain non-resident highway taxes upon certain roads.

Read a first and second time, when

Mr. Ingalls moved that it be referred to the committee of the whole.

Lost.

The bill was then referred to the committee on roads and bridges.

Mr. Mitchell moved a reconsideration of the vote by which Senate bill to provide for the discharge of certain duties required to be performed by circuit court commissioners, was taken from the table and referred to committee of the whole.

Agreed to.

The bill,

On motion of Mr. Ransom,

Was then ordered laid on the table.

Mr. Seymour moved that the committee on State affairs be discharged from the consideration of the petition of Joseph Smith and others, and that the same be referred to the committee on public lands, to which other petitions of the same description have been referred.

Agreed to.

Mr. Richardson gave notice that at some future day he should ask leave to bring in

A bill to appropriate certain non-resident highway taxes to aid in opening certain roads in the counties of Tuscola and Lapeer.

Mr. Ransom offered the following resolution :

*Whereas*, By section 5 of the schedule to the present constitution, it was provided that the Governor and Lieutenant Governor should

be chosen under the then existing constitution and laws, to serve after the expiration of the term of the then present incumbent :

*And whereas*, By section 20 of said schedule, it was provided that the salaries and compensation of all persons holding office under the then present constitution, should continue to be the same as then provided by law, until superceded by their successors, elected or appointment under the present constitution:

*And whereas*, The Governor of this State, elected at the general election in the year 1851, to serve from the first day of January, 1852, to the first day of January, 1853, was elected under the old constitution:

*And whereas*, The salary of the said Governor under the laws in force previous to the adoption of the present constitution, was fifteen hundred dollars per annum; therefore

*Resolved*, As the opinion of the House of Representatives, that the Governor for the year 1852, is entitled to a salary of fifteen hundred dollars.

Referred to committee of ways and means.

Mr. Ellsworth offered the following resolution:

*Resolved*, That the Clerk of the House of Representatives be and he is hereby authorized and instructed to obtain from the Senate, House bill No. 59.

Mr. Sutherland moved to lay on the table.

Lost.

The resolution was then adopted by the following vote:

YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitzsimmons,  
Frey,

Mr. J. Gleason,  
Goff,  
Gregory,  
Green,  
Griswold,  
Gulick,  
Hand,  
Hase,  
Irwin,  
Jennison,  
Jones,  
McWhorter,  
Matthews,  
H. Miller,  
C. L. Miller,

Mr. Morton,  
Murphy,  
Norton,  
Ransom,  
Reno,  
Renwick,  
Sherman,  
Shelden,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,



## NAYS :

Mr. Bates,  
Chapel,  
Chittenden,  
Fitch,  
Gale,  
Haight,  
Ingalls,

Mr. Lathrop,  
Lovell,  
McDougall,  
Marsh,  
Mitchell,  
Palmer,  
Parkhurst,

Mr. Poppleton,  
Richardson,  
Root,  
Seymour,  
Shoemaker,  
Smith,  
Sutherland, 21

## THIRD READING OF BILLS.

The bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Was read the third time, when, by unanimous consent, the following portion of section 9 was stricken out, to wit:

“And they shall have power to settle and adjust upon equitable terms, all claims for damages by any person or persons, in consequence of the removal or destruction of any property or improvements on the line of said canal.”

The bill was then read the third time and passed by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,  
Goff,  
Gregory,

Mr. Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingals,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Norton,  
Palmer,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

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## NAYS:

0

On motion of Mr. Sherman,

It was then ordered by a two-thirds vote of all the members elected that the same take effect immediately.

SPECIAL ORDER.

The House then went into committee of the whole on

A bill to provide for the incorporation of railroad companies, it being the special order,

Mr. Marsh in the chair.

After spending some time thereon, the committee rose and by their chairman reported progress, and asked leave to sit again.

The report was accepted and leave granted; when,

On motion of Mr. Traver,

The House took a recess until 2 o'clock P. M.

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll was called; a quorum present.

The House then went into committee of the whole on the special order,

Mr. Marsh in the chair.

And after spending some time thereon, the committee rose, reported progress, and asked leave to sit again.

The report was accepted and leave granted.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 2, 1853.*

*To the Speaker of the House of Representatives:*

SIR—Pursuant to the request of the House, and the instruction of the Senate, I herewith return

House bill to furnish to each school district in the State the unabridged American Dictionary of the English language, by Noah Webster.

Respectfully, &c.,

O. W. MOORE,  
*Sec'y Senate.*

On motion of Mr. Ellsworth,

The vote by which said bill was passed was reconsidered; when,

On motion of Mr. Ellsworth,

The bill was ordered laid on the table.

Mr. Mitchell, by consent, moved that

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners, be taken from the table.

Agreed to.

Mr. Mitchell then moved a suspension of the rule, in order to put the same on its final passage; but the same did not prevail.

On motion of Mr. Ransom,

The House adjourned.

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*Lansing, February 3, 1858.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbacker.

The roll was called, and a quorum of members found to be present.

The journal of the preceding day was corrected and approved.

#### PETITIONS.

Mr. Matthews presented the petition of 51 voters, and 53 persons not voters, of Dearborn, Wayne county, asking the passage of the Maine law.

Referred to committee on Maine law.

Mr. Shoemaker: of John Clancey and 62 others, citizens of Kent county, for the passage of a general railroad law.

Mr. Ingalls: the remonstrance of E. Peck and 53 others, and of Sidney Sessions and 54 others, all of Ionia county, against the passage of such a law.

Severally referred to the committee on banks and incorporations.

Mr. Frey: of W. W. Elliott and others, asking for a re-survey of all the public roads in the township of White Pigeon, in the county of St. Joseph, and asked the appointment of a special committee on the subject.

Agreed to.

The petition was referred to said committee, consisting of Messrs. Frey, Davis and Norton.

#### REPORTS.

Mr. Sutherland, from the committee on the judiciary, submitted the following report:

The committee on the judiciary have had under consideration,

A bill to consolidate the Pontiac and Genesee, and Genesee and Oakland Railroad companies,

And instruct me to report the same back to the House, to recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill read twice, and

On motion of Mr. Sutherland,

Ordered laid on the table.

Mr. Ellsworth, from the same committee, reported as follows:

The committee on the judiciary, to whom was referred Senate bill No. 10, to provide for an additional circuit court commissioner in the county of Wayne, have had the same under consideration, and now report the same back to the House with some amendments, and respectfully recommend its passage and ask to be discharged.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Ransom, from same committee, reported as follows:

The committee on the judiciary, to whom was referred a Senate bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne, beg leave to report the same back to the House without action, and ask to be discharged.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to attach the counties of Midland, Aronac, Gladwin, Isabella and Iosco to the county of Saginaw, and for other purposes : also,

An act to complete the organization of the county of Grand Traverse ; also,

An act to organize certain townships in the county of Ontonagon, in the Upper Peninsula ; and

Joint resolution relative to the contingent fund.

Mr. Traver, from the committee on roads and bridges, submitted the following report :

Your committee to whom was referred the petition of C. C. Chatfield and others, have had the same under consideration, and beg leave to report the accompanying bill, recommend its passage, and ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, and the bill referred to committee of the whole.

#### MESSAGES.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 2, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

A bill to amend the charter of the city of Detroit,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec. Senate.*

The bill was read twice and referred to committee on banks and incorporations.

SENATE CHAMBER,  
Lansing February 2, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

1. A bill for the construction of public offices at the seat of government, at Lansing.

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked ; also,

2. A bill relative to the University interest fund,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The bills were severally read a first and second time and referred, the first, to committee on State affairs, and the second to committee on education.

SENATE CHAMBER,  
*Lansing, February 2, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

1. A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848;

In which the Senate have concurred with an amendment, by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect, and in which amendment the concurrence of the House is respectfully asked.

Also herewith is transmitted,

2. Joint resolution relative to refunding money twice paid for certain primary school lands,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

The amendment to the bill was concurred in, and the bill as amended, ordered enrolled.

The resolution was twice read, and referred to committee on public lands.

SENATE CHAMBER,  
Lansing, February 2, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

1. Joint resolution authorizing the Auditor General to issue a new land warrant to Isaac N. Swain, in place of one lost,

Which the Senate have concurred in by a majority of all the Senators elect.

2. A bill to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act number 39 of the session laws of 1849, and attached to the township of Henrietta, in said county,

Which the Senate have concurred in by a majority vote of all the Senators elect.

3. A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes,

Which the Senate have concurred in with an amendment, by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take effect immediately, in which amendment the concurrence of the House is respectfully asked.

4. A bill to amend section one of an act entitled an act to amend an act entitled an act to incorporate the village of Hillsdale, passed April 1, 1850,

Which the Senate have concurred in by the adoption of a substitute, by a vote of two-thirds of all the Senators elect in which substitute the concurrence of the House is respectfully asked.

Very respectfully, &c,

O. W. MOORE,

*Sec. Senate.*

The first and second were ordered enrolled.

The amendment to the third was concurred in, and the bill as amended was ordered enrolled.

The question being on concurring in the Senate substitute for the fourth,

Pending which,

Mr. Fitzsimmons offered the following amendment thereto:

Insert between "of," and "working," in line 13, section 1, the words "laying out, altering and," and strike out "upon," in same line.

**Adopted.**

The substitute was then concurred in by the following vote:

**YEAS:**

|                |                    |               |    |
|----------------|--------------------|---------------|----|
| Mr. Adams,     | Mr. J. P. Gleason, | Mr. Mitchell, |    |
| Arnold,        | Goff,              | Morton,       |    |
| Bailey,        | Gregory,           | Murphy,       |    |
| Baker,         | Green,             | Palmer,       |    |
| Benedict,      | Gulick,            | Poppleton,    |    |
| Bristol,       | Haight,            | Ransom,       |    |
| Bonine,        | Hand,              | Renwick,      |    |
| Burt,          | Haze,              | Richardson,   |    |
| Cornfield,     | Ingalls,           | Rider,        |    |
| Chapel,        | Irwin,             | Root,         |    |
| Chittenden,    | Jones,             | Seymour,      |    |
| Stewart,       | Lathrop,           | Shoemaker,    |    |
| Elv,           | Lovell,            | Smith,        |    |
| Ewing,         | McDougall,         | Strang,       |    |
| Fitch,         | McWhorter,         | Sutherland,   |    |
| Fitzsimmons,   | Marsh,             | Traver,       |    |
| Fray,          | Mathews,           | Warner,       |    |
| Gale,          | H. Miller,         | Winters,      |    |
| James Gleason, | C. L. Miller,      | Speaker,      | 57 |
|                | <b>NAYS:</b>       |               | 0  |

On motion of Mr. Fitzsimmons,

The substitute was ordered to take immediate effect by a two-thirds vote of all elected.

**MOTIONS, RESOLUTIONS AND NOTICES.**

Mr. Ransom introduced a joint resolution relative to the final adjournment of the Legislature.

Laid over one day under the rule.

Mr. Gale gave notice that he would to-morrow ask leave to introduce

A bill to change the name of Julian Allen.

Mr. Richardson moved that House bill No. 65, entitled

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

Be taken from the general order and placed on the order of its third reading.

**Lost.**



On motion of Mr. Reno,

*Resolved*, That the committee on printing be instructed to inquire whether the State printer can print the copies of the Governor's message in the foreign languages, ordered by this House, before the end of the session.

On motion of Mr. McDougall,

*Resolved*, That the several bills amendatory of certain bank charters, relating to the Merchant's Bank of Ann Arbor, Peninsular Bank, Michigan Insurance Company, &c., reported by the chairman of the committee on banks and incorporations, be taken from the general order, and recommitted to the same committee for further consideration.

Mr. Gregory gave notice that he intends to morrow to ask leave to introduce a joint resolution for amending section 47 of article 4 of the constitution.

Mr. Gregory moved that House bill No. 59, relative to the distribution of Webster's Dictionary, be recommitted to the committee on education, with instructions to so modify it, that the funds for the purchase of said dictionary be raised from taxation, and not from library fund, and to make such other modifications as they think best.

Pending which,

Mr. Ewing moved to take the bill from the table, and to indefinitely postpone it.

On motion of Mr. Fitch,

The question was divided, and the House agreed to take the bill from the table.

Mr. Fitch then moved to lay the question to indefinitely postpone upon the table; which was agreed to.

Mr. Toll introduced joint resolution relative to stationery.

Laid over one day, under the rule.

#### THIRD READING OF BILLS.

The bill ceding jurisdiction to the United States over lot No. 1, section 34, town 22 north of range 8 east,

Was read the third time and passed, by the following vote:

YEAS.

Mr. Adams,  
Arnold,

Mr. Griswold,  
Gulick,

Mr. Murphy,  
Palmer,

Bates,  
Benedict,  
Bristol,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Freely,  
Gale,  
J. Gleason,  
Goff,  
Gregory,  
Green,

Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Levell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,

Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Winters,  
Worden,  
Speaker,

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### NAYS.

The bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Was being read the third time, when

Mr. Gale moved a call of the House.

Agreed to.

The roll was called, when it appeared that Messrs. Fitch, Hudson, O'Callaghan and Thompson were absent without leave.

Mr. Hudson was excused for an indefinite time on account of sickness, and Messrs. O'Callaghan and Thompson for the day, for the same reason.

On motion of Mr. Gale,

The sergeant-at-arms was then despatched to procure the attendance of Mr. Fitch.

Mr. Fitch soon after appearing at the bar of the House, was permitted to render his excuse, and was excused.

The bill was then read the third time, when

On motion of Mr. Ewing,

It was recommitted to the select committee, with instructions to amend an error therein, and with instructions to report the same back to the House forthwith.

Mr. Poppleton, chairman of the committee, soon after reported the same back to the House, amended as instructed, and asked to be discharged.

The report was accepted and the committee discharged, when Mr. Ingalls moved to lay the bill on the table.

Lost.

Mr. Winters moved to adjourn.

But the House refused to adjourn.

The question then recurring on the final passage of the bill, after a lengthy debate,

Mr. Mitchell moved the previous question, which was seconded, and the main question ordered to be now put.

The main question being the final passage of the bill, the same was passed by the following vote:

Members O'Callaghan and Thompson having appeared in their places, pending the reading thereof, being permitted to record their votes thereon, to wit:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Hassimons,  
Frey,  
John P. Gleason,

Mr. Goff,  
Gregory,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
H. Miller,  
O. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. Palmer,  
Peppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, 57

#### NAYS:

Mr. Benedict,  
Gale,  
J. Gleason,  
Green,

Mr. Ingalls,  
Irwin,  
Marsh,  
O'Callaghan,

Mr. Parkhurst,  
Reno,  
Sherman,  
Strang, 12

Mr. Chittenden gave notice of his intention to move a reconsideration of the last vote.

Mr. Strang sent up the following protest, which was ordered to be entered on the journal, to wit :

I protest against the passage of this bill for the following reasons :

1st. It provides new rules for the admissibility and competency of evidence, of the most dangerous kind.

2d. The provisions of the bill against the taking of appeals in the usual course of law, are equivalent to a denial of justice, at least in the case of poor defendants, who may be entirely innocent.

3d. The provisions for delegating the legislative power back to the people, is unauthorized by the constitution.

I regard the first objection insuperable, and the passage of the bill in its present form, dangerous to public liberty, and its tendency to break down all the barriers by which the law has surrounded the civil liberty and integrity of the upright citizen. It offers direct inducements to commit perjury on the one side, and shuts out competent evidence on the other.

During the time we wait for the vote of the people, the direct effect of this bill will be to flood the State with a deluge of intoxicating liquors, more cruel than a deluge of blood.

And as the Legislative power is not vested in the people at large, but in the Legislature, an act passed at a popular election will not thereby become a law, and the courts will overrule it.

When,

On motion of Mr. James Gleason,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and a quorum of members was found to be present.

PETITIONS.

Mr. Green presented the petition of the board of the township of Rollin, and other citizens of the same town, asking for an extension of the time for the collection of taxes in said town.

Referred to the committee of ways and means.

REPORTS OF COMMITTEES.

Mr. Parkhurst, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred the memorial of Wm. A. Butler, and other brokers of Detroit, have had the same under consideration, and a minority of your committee are convinced that the bill introduced the 19th of January, relative to brokers and exchange dealers, is oppressive, and therefore recommend that it do not pass, and ask to be discharged from the further consideration thereof.

The report was accepted.

Mr. Warner, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred the petition of the village council of Mt. Clemens, praying, for reasons therein set forth, to have section 11 of act No. 90 of the session laws of 1851, amended, and a new section added, to stand as section 20 of said act, have had the same under consideration, and respectfully report said petition back to the House, accompanied with a bill recommend its passage and ask to be discharged therefrom.

The report was accepted and the committee discharged, the bill read twice, referred to the committee of the whole and placed on the general order.

MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
*Lansing, February 3, 1853.* }

*To the House of Representatives :*

I have this day approved, signed and deposited in the Office of the Secretary of State,

An act to attach the counties of Midland, Gladwin Aronas, Isabella and Iosco, to the county of Saginaw, and for other purposes;

An act to organize certain townships in the county of Ontonagon, in the Upper Peninsula;

An act to complete the organization of the county of Grand Traverse;

A joint resolution relative to contingent fund.

R. McCLELLAND.

Also the following message from the Senate :

SENATE CHAMBER, }  
Lansing. February 3, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to provide for the construction of a ship canal around the Falls of St. Marys's ;

And I am instructed to inform the House that the Senate have concurred in all the amendments of the House except the ninth, last named, in which they have non-concurred, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

On motion of Mr. Mitchell,

The House insisted on their amendment.

On motion of Mr. Strang,

A committee of conference, consisting of three, were ordered to be appointed, to act with a like committee on the part of the Senate, on the disagreement between the two Houses.

The Speaker appointed Messrs. Strang, Burt and Bates as such committee.

Mr. Chittenden moved a reconsideration of the vote upon the final passage of the bill to prohibit the manufacture of intoxicating beverages, and the traffic therein ; which after some remarks he withdrew, and asked the consent of the House to have his vote changed from the affirmative to the negative, on the passage of the same.

Agreed to.

Mr. Sherman moved that joint resolution relative to the Chippewa Indians of Lake Superior, be taken from the general order, and put upon the order of its third reading.

Agreed to.

Mr. Green, pursuant to previous notice, on leave, introduced

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee.

Read a first and second time, and referred to committee of ways and means.

THIRD READING OF BILLS AND RESOLUTIONS.

The joint resolution relative to the Chippewa Indians, was read the third time and passed.

The House having arrived at the special order, being the bill to provide for the incorporation of railroad companies, went into committee of the whole thereon,

Mr. Sutherland in the chair.

And after spending some time thereon, the committee rose, reported progress, and asked leave to sit again thereon.

The report was accepted, and leave granted.

On motion of Mr. Ellsworth,

The House adjourned.

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*Lansing, February 4, 1853.*

The House met and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The roll was called and a quorum present.

The journal of the preceding day was corrected and approved.

PETITIONS.

Mr. Renwick presented the petition of O. Jackson Chapel and 38 other students of the University, and of D. D. Slauson and 113 others connected with the college of medicine, praying for the passage of Maine law.

Mr. Green: of S. D. Newbro and 31 others, on the subject of phonetics.

Mr. Fitch: the remonstrance of Wm. H. Whorter and 26 others, against the passage of the Maine law.

All of which were laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Chittenden, from the committee on banks and incorporations, reported

A bill to incorporate the village of Hudson,

And recommend its passage.

The report was accepted, the committee discharged, the bill read a first and second time, and

On motion of Mr. Chittenden,

Was laid on the table.

Mr. Norton, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred the memorial of the common council of the city of Monroe, have had the same under consideration, which they respectfully beg leave to report back to the House with the accompanying bill, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill entitled

A bill to amend an act passed March 24th, 1851, entitled an act to incorporate the city of Monroe, and certain acts amendatory thereof, approved March 30, 1849,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Mitchell, from the committee on education, reported

A bill relative to the University interest fund,

Recommended its passage, and asked to be discharged.

The report was accepted and the committee discharged.

On motion of Mr. Ransom,

The bill was laid on the table.

Mr. Adams, from the committee on militia, submitted the following report:

The committee on militia, to whom was referred the petition of Sebah Murphy, John R. Williams, and others, requesting that chapter 14 of an act to provide for organizing an active militia, and for other purposes, approved May 18, 1846, be revised and re-enacted for the support of the volunteer militia of this State, have had the same under consideration, and after a careful examination of the subject, must report adverse to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.



Mr. Morton, from the committee of ways and means, submitted the following report:

The committee of ways and means report and recommend the passage of

A bill to amend act 142 of the session laws of 1851.

At present it is the duty of the board of State auditors to adjust and settle all claims and demands not otherwise provided for by law, which claims are in most cases of such character as to be better understood by the auditor general, and often they are claims which must be paid and need no action on the part of the board of auditors. The bill refers all such to the auditor general, who, in any event, is obliged to draw his warrant on the treasurer for their payment, even under the present law, whether he approves of them or not, and to the board of auditors leave such only as are provided for by law, or are referred to the board by the Legislature. This change will relieve the board and the auditor of much trouble and perplexity in disposing of demands against the State, and give to each such claims as appropriately belong to them for disposal, and will also relieve them from dealing, as they are obliged to now, upon a multitude of claims of very doubtful validity.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Also,

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee,

Which the committee reported without action.

The report was accepted and the committee discharged.

On motion of Mr. Morton,

The rules were suspended and the bill put upon its final passage.

The bill was read a third time and passed by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,

Mr. Gregory,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Renwick,  
Rider,  
Root,

|                |              |             |    |
|----------------|--------------|-------------|----|
| Bonine,        | Jennison,    | Sherman,    |    |
| Burt,          | Jones,       | Sheldon,    |    |
| Canfield,      | Lathrop,     | Shoemaker,  |    |
| Craven,        | Lovell,      | Smith,      |    |
| Davis,         | McDougall,   | Strang,     |    |
| Ellsworth,     | McWhorter,   | Sutherland, |    |
| Ely,           | Matthews,    | Thompson,   |    |
| Ewing,         | H. Miller,   | Toll,       |    |
| Fitch,         | Mitchell,    | Traver,     |    |
| Fitzsimmons,   | Morton,      | Warner,     |    |
| Frey,          | Murphy,      | Winters,    |    |
| James Gleason, | Norton,      | Speaker,    |    |
| Goff,          | O'Callaghan, |             | 56 |
|                | NAYS:        |             | 0  |

Mr. Miller, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred resolutions relative to the salary of the Governor for the year 1851, report the same back to the House, recommend their passage, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

Mr. McDougall moved to lay the resolutions upon the table.

Lost.

The resolutions were then adopted.

Mr. Ellsworth, from the committee on towns and counties, submitted the following report:

The committee on towns and counties, have had under consideration,

A bill to annex the county of Mecosta to the township of Montcalm, in the county of Montcalm,

And now report the same to the House, and respectfully recommend its passage.

The report was accepted the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred the remonstrances of citizens of Ionia and Eaton, against the passage of a general railroad law, have had the same under considera-

tion, respectfully report the same back to the House and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the remonstrances referred to the committee of the whole and placed on the special order.

Mr. McDougall from the committee on banks and incorporations, submitted the following report :

The committee on banks and incorporations, to whom was referred numerous petitions remonstrating against the amendment of the charters of the Southern and Central railroads, have had the same under consideration, and respectfully report the same back to the House and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged, and the petitions referred to the committee of the whole and placed on the general order.

Mr. Frey, from special committee, to whom was referred the petition of Geo. G. DePuy and others, submitted the following report :

The special committee to whom was referred the petition of Geo. G. DePuy, Wm. W. Elliot, and others, citizen of White Pigeon township, asking for

An act to authorize the re-survey of all the public highways in said township,

Do report that they have had the same under consideration, and report the same back to the House with the accompanying bill, and recommend its passage and ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, and

The bill entitled a bill to provide for the re-survey of the public highways in the township of White Pigeon, in the county of St. Joseph,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

#### MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER,  
*Lansing, February 3, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return herewith :

House bill to amend section 49 of chapter 154 of the revised statutes of 1846 ;

And to inform the House that the Senate respectfully insist upon their amendment thereto, in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

Mr. Mitchell moved that the House do adhere.

Agreed to.

On motion of Mr. Norton,

A committee of conference was appointed to meet a like committee on the part of the Senate, to confer upon said bill.

The Speaker announced Messrs. Norton, Ransom and Gale as such committee.

Also the following :

SENATE CHAMBER,  
*Lansing, February 3, 1853.*

*To the Speaker of the House of Representatives :*

SIR—Herewith is transmitted

A bill to amend an act to incorporate the president, directors and company of 'he Farmers' and Merchants' Bank of Ann Arbor,

Which the Senate have passed by a two-thirds vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

The bill was read a first and second time, and referred to the committee on banks and incorporations.

Mr. Ewing moved to take from the table the bill relative to the University interest fund, and that it be placed on the general order.  
Lost.

On motion of Mr. Green,

*Resolved*, That the petition of S. D. Newbro and others, on the subject of Phonetics, be taken from the table and referred to a select committee of three.

Mr. Richardson, on leave, pursuant to notice, introduced

A bill to provide for laying out and establishing certain roads in the counties of Tuscola and Lapeer.

Read twice and referred to the committee on roads and bridges.

Mr. Strang, on leave, pursuant to notice, introduced

A bill to extend the judicial organization of the State.

Read twice and referred to the judiciary committee.

Mr. Sutherland moved that House bill entitled

A bill to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw,

Be taken from the general order and placed on the order of the third reading of bills.

Agreed to.

Mr. Ewing gave notice that he would on some future day ask leave to introduce

A bill authorizing the supervisors of Saginaw county to issue the bonds of said county to aid the Bad River and Saginaw Steamboat Navigation Company in building vessels.

Mr. Strang gave notice that he would on some future day ask leave to introduce

A bill to attach certain unorganized counties to counties which are organized.

Mr. Gregory offered the following resolution:

*Resolved*, That during the further discussion of House bill No. 28, no member shall speak more than five minutes at any one time, nor more than twice during one day, without permission from the House.

Mr. James Gleason moved to strike out "5" and insert "20."

Mr. Ellsworth moved to lay the whole subject on the table.

Lost.

The question was then taken on the motion of Mr. James Gleason and lost.

Mr. Mitchell moved to strike out "5" and insert "15."

Lost.

Mr. Morton moved to strike out "5" and insert "10."

Mr. Chittenden moved to insert "14."

Lost.

Mr. Chittenden then moved to insert "13."

Lost.

Mr. Chittenden then moved to insert "12."

Lost.

Mr. Chittenden then moved to insert "11."

Lost.

The question was then taken on striking out "b" and inserting "10," and agreed to.

The question then recurring on the adoption of the resolution as amended, pending which

Mr. Ellsworth moved its indefinite postponement.

Mr. Ewing moved to lay the last motion on the table.

Lost.

The question recurring on the indefinite postponement,

The House refused to agree thereto.

Mr. Ellsworth then moved that the resolution be referred to a select committee of five.

Lost.

Mr. Ewing moved that the House adjourn.

Lost.

Mr. Chittenden moved to lay the resolution on the table.

Lost.

Mr. Morton then moved the previous question, which was seconded and the main question ordered to be now put.

The main question being on the adoption of the resolution as amended, the same was adopted.

Mr. Sutherland moved to take from the table the bill relative to Webster's Dictionary, and that the same be committed to committee on education.

Mr. Seymour moved to lay the motion on the table.

Lost.

Mr. Mitchell moved the previous question, which was demanded, and the main question ordered to be now put.

The main question being on the motion of Mr. Sutherland, the same prevailed.

## THIRD READING OF BILLS.

The bill to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw, was read the third time and passed as follows :

## YEAS:

|                  |            |             |
|------------------|------------|-------------|
| Mr. Adams,       | Mr. Goff,  | Mr. Norton, |
| Arnold,          | Griswold,  | Palmer,     |
| Bailey,          | Galick,    | Parkhurst,  |
| Bates,           | Haight,    | Poppleton,  |
| Benedict,        | Hand,      | Ransom,     |
| Bristol,         | Haze,      | Renwick,    |
| Burt,            | Ingalls,   | Richardson, |
| Canfield,        | Irwin,     | Rider,      |
| Chapel,          | Jennison,  | Seymour,    |
| Chittenden,      | Jones,     | Sheldon,    |
| Craven,          | Lathrop,   | Shoemaker,  |
| Davis,           | Lovell,    | Smith,      |
| Fitch,           | McDougall, | Sutherland, |
| Fitzsimmons,     | McWhorter, | Thompson,   |
| Frey,            | Marsh,     | Toll,       |
| Gale,            | Mitchell,  | Traver,     |
| James Gleason,   | Morton,    | Winters,    |
| John P. Gleason, | Murphy,    | Speaker, 54 |

## NAYS:

|          |               |             |
|----------|---------------|-------------|
| Mr. Ely, | Mr. Matthews, | Mr. Strang, |
| Gregory, | C. L. Miller, | 5           |

And by the same vote ordered to take effect immediately.

The concurrent resolution relative to the adjournment of this Legislature, was read the third time, when

Mr. Mitchell moved to lay the same on the table.

Lost.

Mr. Parkhurst moved to strike out "Monday, the 14th," and insert "Wednesday, the 16."

Mr. Miller moved to strike out and insert "Saturday, 12th."

Lost.

The question was then taken on the motion of Mr. Parkhurst, and the House refused to agree thereto.

The question was then taken on the resolution, and the same adopted without amendment.

Joint resolution relative to stationery,

Was then read the third time and passed.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and presented to the Governor this day for approval,

An act to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848; also,

An act to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act No. 39, of the session laws of 1849, and attached to the township of Henrietta, in said county, and

A joint resolution authorizing the Auditor General to issue a new land warrant to Isaac N. Swain, in the place of one lost.

The House having arrived at the special order, being the bill to provide for the incorporation of railroad companies, went into committee of the whole thereon,

Mr. Sutherland in the chair.

After spending some time thereon, the committee rose, and by their chairman reported progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

On motion of Mr. Poppleton,

The House adjourned.

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### *Afternoon Session.*

2 o'clock

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

#### PETITIONS PRESENTED.

Mr. Poppleton presented the petition of M. L. Bagg and 114 others, and of P. Dox and 162 others;

Mr. Parkhurst: of J. C. Goodale and 82 others, all of Oakland county, and praying for the passage of a general railroad law.

Referred to the committee of the whole and placed on the general order.



## REPORTS.

Mr. Strang, from the committee of conference on the Sault St. Mary's canal bill submitted the following:

The committee of conference of the two Houses, to whom was referred House amendment No. 9, of Senate bill, No. 21, entitled

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Beg leave to report that they have had said amendment under consideration, as well as the refusal of the Senate to concur therein, and they have agreed upon a substitute for said House amendment number nine, which they report herewith, and recommend that it pass, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the substitute which was as follows:

Substitute of the committee of conference for House amendment number nine.

Sec. 11. The said commissioners in entering into the contract for the construction of said canal, shall provide that the railroad at present existing across the Portage, be in no way unnecessarily interrupted during the progress of the work, and said commissioners shall have power to decide the necessity of any interruption; and the said commissioners may, at the expense of said railroad company, relocate said railroad, if they shall deem it necessary to aid and promote the construction of said canal.

G. R. GRISWOLD,

*Ch'n Senate Committee.*

JAMES J. STRANG,

*Ch'n H. Committee.*

Was, on motion of Mr. Ely,

Concurred in.

## MESSAGES.

The following message was announced from the Governor;

EXECUTIVE OFFICE, }  
Lansing, Feb 4, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848;

An act to restore to the township of Rives, in the county of Jackson, all that part of said township detached by act No. 39, of the session laws of 1849, and attach the same to the township of Henrietta, in said county;

A joint resolution authorizing the Auditor General to issue a new land warrant to Isaac N. Swain.

R. McCLELLAND.

And the following from the Senate :

SENATE CHAMBER,  
Lansing, February 4, 1853. }

To the Speaker of the House of Representatives:

~~Sir~~—Herewith is transmitted

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for normal school lands,

Which the Senate have passed by a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

I am instructed to respectfully inform the House that the Senate have appointed on their part, Messrs. Griswold, Curtenius and Kent, a committee of conference, to act in conjunction with Messrs. Strang, Burt and Bates, a like committee on the part of the House, on the disagreement between the two Houses, on a bill to provide for the construction of a ship canal around the Falls of St. Mary.

Yours, &c.,

O. W. MOORE,

Sec. Senate.

On motion of Mr. Mitchell,

The rules were suspended to put the bill on its final passage.

The bill was read a third time and passed, by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,

Mr. Green,  
Griswold,  
Gulick,  
Haight,

Mr. O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,

|              |               |             |    |
|--------------|---------------|-------------|----|
| Benedict,    | Hand,         | Ransom,     |    |
| Bonine,      | Haze,         | Reno,       |    |
| Canfield,    | Irwin,        | Renwick,    |    |
| Chapel,      | Jennison,     | Richardson, |    |
| Chittenden,  | Jones,        | Rider,      |    |
| Craven,      | Lathrop,      | Root,       |    |
| Davis,       | Lovell,       | Seymour,    |    |
| Ellsworth,   | McDougall,    | Sherman,    |    |
| Ely,         | McWhorter,    | Shelden,    |    |
| Ewing,       | Marsh,        | Shoemaker,  |    |
| Fitch,       | Matthews,     | Smith,      |    |
| Fitzsimmons, | H. Miller,    | Strang,     |    |
| Frey,        | C. L. Miller, | Toll,       |    |
| Gale,        | Mitchell,     | Traver,     |    |
| J. Gleason,  | Morton,       | Winters,    |    |
| Goff,        | Murphy,       | Worden,     |    |
| Gregory,     | Norton,       | Speaker,    | 63 |
|              | NAYS:         |             | 0  |

On motion of Mr. Ewing,

The bill was ordered to take immediate effect.

And the following:

SENATE CHAMBER,  
Lansing, Feb. 4, 1853.

*At the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate respectfully to inform the House that the Senate have concurred in the report of the committee of conference, on the disagreement between the two Houses upon

*A bill to provide for the construction of a ship canal around the Falls of St. Mary's,*

By a two-thirds vote of all the Senators elect, adopting the following as a substitute for the ninth House amendment to said bill, and have ordered the bill as amended, to take immediate effect by a vote of two-thirds of all the Senators elect:

Sec. 11. The said commissioners on entering into the contract for the construction of said canal, shall provide that the railroad at present existing across the Portage, be in no way unnecessarily interrupted during the progress of the work, and said commissioners shall have power to decide the necessity of any interruption; and the said commissioners may, at the expense of said railroad company, re-

locate said railroad, if they shall deem it necessary to aid and promote the construction of said canal.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

**MOTIONS, RESOLUTIONS AND NOTICES.**

Mr. Sutherland moved to take House bill number 65, entitled

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

From the general order, and place the same on the order of the third reading of bills.

Agreed to.

Pursuant to previous notice,

Mr. Gale asked and obtained leave to introduce

A bill to change the name of Julian Allen.

Read a first and second time, and

On motion of Mr. Gale, laid on the table.

Mr. Ellsworth, pursuant to notice, asked and obtained leave to introduce

A bill defining the number of commissioners of highways in the several townships.

Read a first and second time, and

On Motion of Mr. Ellsworth,

Laid on the table.

Mr. C. L. Miller, pursuant to previous notice, asked and obtained leave to introduce

A bill to provide for laying out private roads.

Read a first and second time and referred to the general order.

Mr. Gregory introduced a

Joint resolution proposing an amendment to the constitution, relative to license.

On motion of Mr. Miller,

*Resolved*, That House bill 73, relative to surplus funds in the State Treasury be placed on file among bills on third reading.

**THIRD READING OF BILLS.**

A bill to authorize the county of Saginaw to loan its bonds to aid in construction of a plank road, was read a third time, and

On motion of Mr. Seymour,  
Laid on the table.

A bill relative to surplus funds in in the State Treasury, was read  
a third time and passed as follows :

## YEAS:

|              |            |                  |
|--------------|------------|------------------|
| Mr. Adams,   | Mr. Goff,  | Mr. O'Callaghan, |
| Arnold,      | Gregory,   | Palmer,          |
| Bailey,      | Green,     | Parkhurst,       |
| Bates,       | Griswold,  | Poppleton,       |
| Benedict,    | Gulick,    | Ransom,          |
| Bristol,     | Haight,    | Renwick,         |
| Bonine,      | Ingalls,   | Rider,           |
| Burt,        | Irwin,     | Root,            |
| Canfield,    | Jennison,  | Shoemaker,       |
| Chapel,      | Lathrop,   | Smith,           |
| Craven,      | Lovell,    | Strang,          |
| Davis,       | McDougall, | Sutherland,      |
| Ellsworth,   | McWhorter, | Toll,            |
| Ely,         | Marsh,     | Traver,          |
| Ewing,       | Matthews,  | Warner,          |
| Fitch,       | H. Miller, | Winters,         |
| Fitzsimmons, | Mitchell,  | Worden,          |
| Frey,        | Morton,    | Speaker,         |
| J. Gleason,  | Murphy,    |                  |

56

## NAYS:

|                 |                   |             |
|-----------------|-------------------|-------------|
| Mr. Chittenden, | Mr. C. L. Miller, | Mr. Norton, |
| Gale,           |                   |             |

4

The House then went into committee of the whole on the special  
order, being the bill to provide for the incorporation of railroad com-  
panies.

And after spending some time thereon, the committee rose and  
through their chairman reported progress, and asked leave to sit again  
The report was accepted and leave granted ; when  
On motion of Mr. Ellsworth,  
The House adjourned.

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*Lansing, February 5, 1853.*

The House met pursuant to adjournment, and was called to order  
by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and a quorum found to be present.

The journal of yesterday was corrected and approved.

PETITIONS.

Mr. Palmer presented the petition of Wm. O. Morrison and 18 others;

Mr. Lovell: of E. J. Brown and 53 others, and of Delamore Duncan and 25 others, and of James N. Burson and 22 others;

Mr. Gregory: of Wm. W. Webb, and 22 others, and of Angeline B. Bush and 63 others; all praying for the passage of the Maine law.

Laid on the table.

Mr. Shoemaker: of James Potter and 36 others of Kent county;

Mr. Parkhurst: of John Trollope and 7 others, of R. R. Nixon and 34 others; of J. A. Weeks and 9 others; of J. TenEyck and 18 others; of G. H. Farmer and 6 others, and of Henry Bishop and 9 others, all of Oakland county, praying for the passage of a general railroad law.

Also: the remonstrance of H. Woodward and 25 others; of Joseph T. Copeland, Wm. M. Thompson and 101 others; of James Carhartt and 17 others; of Geo. P. Hungerford and 20 others; of Randolph Manning and 120 others, and of Charles Baldwin and 29 others, all of Oakland county, remonstrating against the passage of said law, all of which petitions and remonstrances were referred to committee of the whole.

Mr. Worden: of J. R. Hyde and 37 others, of the village of Hudson, Lenawee county, asking for an act of incorporation of said village.

Referred to the committee on banks and incorporations.

REPORTS.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred the petition of Milton Sergeant and 96 others, of Oakland county, asking for an act authorizing the draining of Big Lake, in the town of Springfield, in said county, have had the same under consideration, and now report the said petition back to the House, accompanied with a bill, and respectfully recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill entitled

A bill to provide for draining a certain lake in the township of Springfield, Oakland county,

Was read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Bonine, from the committee on federal relations, submitted the following report:

The committee on federal relations, to whom was referred resolutions of the Pennsylvania Legislature, in favor of navy yard depot and dry dock on the lake frontier, have had the same under consideration, and report the same back accompanied with a joint resolution, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged, and the joint resolution entitled

Resolutions in reference to the establishment of a navy yard depot and dry-dock, on the lake frontier,

Was read a first and second time, referred to committee of the whole and placed on the general order.

Mr. McDougall, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

Senate bill to amend an act to incorporate the president, directors and company of the Farmers' and Merchants' Bank of Ann Arbor,

Have had the same under consideration, and have instructed me to report the same back to the House, recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Matthews, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom the accompanying bill has been referred, have had said bill under consideration, believe it will advance the interests of the region where it is applicable, recommend its passage, and request to be discharged from any further consideration thereof.

The report was accepted, the committee discharged, and the bill, entitled

A bill to provide for laying out and establishing certain roads in the counties of Tuscola and Lapeer,

Was referred to committee of the whole and placed on the general order.

Mr H. Miller, from the committee on printing, submitted the following report:

The committee on printing, to whom was referred a resolution of the 3d inst., in relation to printing the Governor's message in foreign languages, ordered by this House, report that no such message can be printed until the same has been translated; and there not having been any arrangement made to have the same translated, your committee are of the opinion the time is too short to have the same done during the present session.

The report was accepted and the committee discharged.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes.

Mr. Mitchell, from the committee on the judiciary, reported

A bill to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853,

Recommended its passage, and asked that the committee be discharged from the further consideration thereof.

The report was accepted and the committee discharged, and the bill read a first and second time, and

On motion of Mr. Mitchell,

The rules were suspended, and the bill put upon the order of its third reading.

Mr. Mitchell, from the committee on education, to whom was referred

A bill to furnish each school district in the State the unabridged dictionary of the English language, by Noah Webster,



Reported the bill back with instructions, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the substitute concurred in, and the same ordered to be engrossed and read a third time:

Mr. Seymour, from the committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred the bill for the construction of public offices at the seat of government at Lansing have had the same under consideration and made an amendment thereto and report it back and ask the concurrence of the House and to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

The following communication was received from the Secretary of State :

OFFICE OF THE SECRETARY OF STATE, }  
Lansing, February 4, 1853. }

To the Hon. D. G. QUACKENBOSCH,

*Speaker of the House of Representatives:*

Sir—I have the honor to transmit herewith a communication from the secretary of the board of trustees of the Michigan Central College, at Spring Arbor, relative to the financial condition of said college.

Very respectfully,

Your ob't serv't,

WM. GRAVES,

*Secretary of State.*

On motion of Mr. Sutherland, the said communication was laid on the table.

And the following message from the Senate :

SENATE CHAMBER, }  
Lansing, February 4, 1853. }

To the Speaker of the House of Representatives :

Sir—Herewith is transmitted

1. A bill to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works.

2. A bill to amend an act to incorporate, the Native copper company.

3. Joint resolution for the relief of Almon Whipple ;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Also herewith is returned

4. A bill to amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the village of Hillsdale, approved April 1, 1850 ;

Together with substitute adopted by the Senate ; and I am instructed respectfully to inform the House that the Senate have concurred in the House amendment to said substitute, and have by a vote of two-thirds of all the Senators elect ordered that said substitute as amended take immediate effect ; also

5. A bill to amend section 3, 9, 18, 19 and 20 of an act relative to plank roads, approved March 13, 1848, and to add five new sections to stand as sections 25, 26, 27, 28 and 29 ;

In which the Senate have concurred with amendments, by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect ; also,

6. A bill for the relief of James Waters ;

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote ordered that the same take immediate effect ; also,

Concurrent resolution for final adjournment of the Legislature;

In which the Senate have concurred.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The three first named were each read a first and second time and referred as follows:

The first to the committee on banks and incorporations;

The second to the committee on mines and minerals; and

The third named to the committee of ways and means.

The Senate amendments to the 5th named were concurred in, and the 4th, 5th, 6th and 7th named severally ordered enrolled.

The Speaker announced as the select committee on the petition of S. D. Newbro and others, on the subject of phonetic, Messrs. Green, Gregory and Lathrop.

## MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ransom,  
The bill relative to the University interest fund,  
Was taken from the table and referred to the committee of the whole.

On motion of Mr. Gale,  
The bill to change the name of Julian Allen,  
Was taken from the table and ordered to be engrossed and read the third time.

Joint resolution proposing an amendment to the constitution,  
Being under consideration,  
Mr. Reno offered the following amendment thereto:  
*Provided*, This amendment does not in any way interfere with the cultivation of barley, grapes and fruit, nor with the manufacturing the same into grapes.

Pending the question on which,

On motion of Mr. Ransom,

The whole subject was ordered laid on the table.

The House having arrived at the special order of the day, being the bill to provide for the incorporation of railroad companies,

Went into committee of the whole thereon

Mr. Sutherland in the chair.

After spending some time thereon, the committee rose and by their chairman reported progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

Mr. Ewing moved that the House adjourn.

Lost.

On motion of Mr. Fitch,

The House took a recess until 2 o'clock P. M.

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum of members found to be present.

The House then went into committee of the whole on the bill to provide for the incorporation of railroad companies,

Mr. Sutherland in the chair.

After spending some time thereon, the committee rose, and through their chairman reported progress and asked leave to sit again.

The report was accepted and leave granted.

Mr. Ewing moved that the House adjourn.

Lost.

Mr. Fitch moved to that the House take a recess till 7 o'clock, this evening.

Mr. Marsh moved that the House take a recess until 10 o'clock, Monday morning.

Lost.

The question was then taken on the motion of Mr. Fitch, and the same prevailed.

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*Evening Session.*

7 o'clock.

The House was called to order at 7 o'clock by the Speaker.

The roll was called, and a quorum of members being present,

The House resolved itself into committee of the whole on the special order, being a bill to provide for the incorporation of railroad companies,

Mr. Sutherland in the chair.

After spending some time thereon, the committee rose, and by their chairman reported the same back to the House with sundry amendments thereto, asked the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Chittenden moved that the House adjourn.

Lost, by the following vote:

## YEAS:

Mr. Chittenden,  
Craven,  
Ellsworth,  
Ewing,  
Gale,  
Gregory,  
Griswold,  
Gulick,  
Ingalls,

Mr. Irwin,  
Jennison,  
Lovell,  
McWhorter,  
Marsh,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Renwick,  
Richardson,  
Strang,  
Sutherland,  
Toll,  
Warner,

26

## NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Davis,  
Ely,  
Fitch,

Mr. Fitzsimmons,  
Frey,  
James Gleason,  
Goff,  
Green,  
Haight,  
Hand,  
Jones,  
Lathrop,  
McDougall,  
Matthews,  
C. L. Miller,  
Mitchell,

Mr. Morton,  
Murphy,  
Norton,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Traver,  
Worden,  
Speaker,

38

Mr. Fitch moved that the amendments be concurred in, in gross; upon which.

Mr. Ely moved the previous question; which was seconded.

Mr. Sutherland moved a call of the House.

Which the Speaker ruled not in order.

Mr. Sutherland appealed from the decision.

And the question being taken, shall the decision of the chair stand as the judgment of the House? it was decided affirmatively, by the following vote:

## YEAS:

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,

Mr. J. Gleason,  
Goff,  
Gregory,  
Green,  
Gulick,  
Haight,  
Hand,  
Irwin,  
Jennison,  
Jones,

Mr. Norton,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Root,  
Seymour,  
Sherman,

Craven,  
Davis.  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,

57

## NAYS:

Mr. Adams,

Mr. Ingalls,

Mr. Lovell,

3

The question then being "Shall the main question be now put?"

Mr. Sutherland moved to lay on the table.

The motion was ruled not in order.

Mr. Sutherland appealed from the decision of the chair.

And the question being taken, "Shall the decision of the chair stand as the judgment of the House?" was decided in the affirmative.

Mr. Ellsworth moved that the House adjourn.

Ruled not in order.

Mr. Ellsworth appealed, and the decision of the chair was sustained.

The main question was then ordered to be now put, by the following vote:

## YEAS :

Mr. Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Chapel,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,

Mr. Goff,  
Green,  
Haight,  
Hand,  
Jones,  
Lathrop,  
McDougall,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. Poppleton,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Traver,  
Worden,  
Speaker,

35

## NAYS :

Mr. Adams,  
Benedict,  
Burt,  
Canfield,  
Chittenden,  
Craven,

Mr. Griswold,  
Gulick,  
Ingalls,  
Irwin,  
Jennison,  
Lovell,

Mr. Palmer,  
Parkhurst,  
Ransom,  
Reno,  
Renwick,  
Strang,

Ellsworth,  
Ewing,  
Gale,  
Gregory,

Marsh,  
Matthews,  
O'Callaghan,

Sutherland,  
Toll,  
Warner,

28

The question was then taken on concurring in the amendments in gross, and the same concurred in.

Mr. Poppleton moved that the House adjourn.

Lost.

The question then being on the engrossment of the bill for a third reading,

Pending which,

Mr. Seymour offered the following amendment, to stand as a new section, to-wit:

Sec. —. The Legislathre may at any time alter, amend or repeal this act.

Adopted.

Mr. Ransom then offered the following amendment:

Benjamin F. H. Witherell, Franklin Moore, John H. Harmon, Frederick Buhl, Shubael Conant, Henry Ledyard and Zachariah Chandler, of Detroit, and Talcott E. Wing and William H. Boyd, of Maumee, Directors in the Detroit and Maumee Railroad Company, and such other persons as they may associate with them, shall have the right to become a corporation under this act, with all the powers and privileges secured to such company under it, for the purpose of constructing and maintaining a railrond from Detroit to the Ohio line, in the direction of Toledo, and by way of the city of Maumee; and if the said road is commenced within three months, and completed in fourteen months from the time this act shall take effect, for the running of trains, then no road, parallel thereto, for the whole or any part of the distance, or calculated to diminish the number of its passengers, within an average distance from its line of twenty miles, shall be constructed under this act, without the express sanction of the Legislature. None but citizens of this State shall be capable of holding the office of Director in the company contemplated by this section, nor shall any person being a stockholder, officer or agent of the Michigan Central Railroad Company or of the Michigan Southern Railroad Company be capable of subscribing to or holding any stock therein.

Mr. Ewing moved that the House adjourn.

Lost.

And the question recurring on the amendment of Mr. Ransom,

Mr. Ely moved the previous question thereon.

Mr. Chittenden moved a call of the House; but the motion did not prevail.

Mr. Marsh moved an adjournment.

The demand for the previous question was then seconded, and the main question ordered to be now put.

The main question being on the amendment of Mr. Ransom, it was lost, by the following vote:

YEAS :

Mr. Adams,  
Benedict,  
Bristol,  
Canfield,  
Craven,  
Ellsworth,  
Ewing,  
Gregory,

Mr. Griswold,  
Gulick,  
Ingalls,  
Irwin,  
Jennison,  
Lovell,  
Mathews,  
O'Callaghan,

Mr. Palmer,  
Ransom,  
Reno,  
Renwick,  
Strang,  
Sutherland,  
Toll,

23

NAYS :

Mr. Arnold,  
Bailey,  
Bates,  
Bonine,  
Burt,  
Chapel,  
Chittenden,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Mr. J. Gleason,  
Goff,  
Green,  
Haight,  
Hand,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
Parkhurst,  
Poppleton,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Traver,  
Worden,  
Speaker,

30

Mr. Ewing moved that the House anjourn.

Lost.

Mr. Chittenden moved a reconsideration of the vote on Mr. Ransom's amendment.

Lost.

On motion of Mr. Ellsworth;

The House adjourned.



*Lansing, February 7, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

Mr. Strang asked to have the following amendment made to the journal of Saturday evening, to wit :

Mr. Fitch moved to concur in the amendments in gross.

Mr. Strang demanded a division of the question so that the vote be taken on each amendment separately.

The Speaker decided the question as indivisible.

The amendment was made and the journal approved.

**PETITIONS PRESENTED.**

Mr. Ewing presented the petitions of A. D. Crane and 60 other voters; and of T. A. Dibble and 42 others not voters, of Washtenaw county, praying for the passage of the Maine law.

Laid on the table.

Mr. Merton : of the board of supervisors of the county of Cass, praying for a law to authorize said board to raise a tax for the purpose of certain drainage.

Referred to the committee on public lands.

Mr. Frey : of Wm. Elliott and others asking an amendment to the charter of the village of White Pigeon.

Referred to the committee on towns and counties.

Mr. H. Miller : of 32 citizens ; of Joseph R. Bonman and 100 others and of sundry persons, citizens of Oakland county, remonstrating against, and the memorial of John M. Chamberlin and others, and of John Davis and others, relative to the passage of a general rail road law.

Laid on table.

Mr. Palmer : of A. V. Gardner and 17 others, for an amendment to an act incorporating the Wesleyan Seminary.

Referred to the committee on education.

Mr. Smith : of E. Dewey and others ; of Thomas B. Church and others, and of Robert Hilton and others, of Kent county, praying for the passage of a general railroad law. Laid on the table.

Mr. Parkhurst: of E. H. Budington and 26 others, of Oakland county, remonstrating against the passage of a general railroad law.

Laid on the table.

Mr. Poppleton : of Humphrey Littlefield and 53 others of Jackson county, in favor of pardon of railroad conspirators.

Referred to select committee.

Mr. Gregory : remonstrance of David Carr and 118 others of Wayne county, against the Maine law.

Laid on the table.

Mr. C. L. Miller : of E. C. White and 82 others ; of P. H. Buck and 181 others, of St. Joseph county, asking for a law preventing State Prison labor from competing with free labor.

Referred to committee on State Prison.

Mr. Seymour: the remonstrance of Norman Little and others, against the passage of a bill to authorize the county of Saginaw to loan its bonds to aid a certain plank road.

Laid on the table.

#### REPORTS.

Mr. Chittenden, from the committee on banks and incorporations, reported

Joint resolution to authorize the Commissioner of the State Land Office to grant right of way to Oakland and Ottawa Railroad Company;

A bill to amend sections 13 and 15 of an act to incorporate the president, directors and company of the Peninsular Bank; and

A bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan;

Recommend their passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the joint resolution was read a first and second time, and with the bills was referred to the committee of the whole and placed on the general order.

Mr. Griswold, from the committee on State prison, submitted the following report:

The committee on the State prison have had under consideration

Joint resolution relative to mechanical trades in State prison,

And beg leave to report that they are of the opinion that the manufacturing of lumber wagons in said State prison, is in conflict with the third section, 18th article of the constitution, and ask the adop-

tion of the joint resolution, and ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the joint resolution referred to committee of the whole and placed on the general order.

Mr. Strang, from the committee on mines and minerals, submitted the following report:

The committee on mines and minerals, to whom was referred the bill to amend an act to incorporate the Native Copper Company, report that the sole effect of said bill is to so change the provisions of the act amended, as to double the number of shares, and divide the value thereof, without in any respect changing the amount of capital, or the franchises of the company, and also to increase the directors from time to time. And as a convenience to the stockholders, without detriment to individuals or the State, the bill ought to pass. The committee recommend its passage accordingly.

The report was accepted and the committee discharged, and the bill,

On motion of Mr. Strang,

Was placed on the order of its third reading.

Mr. Ely, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, through their chairman, reported

A bill authorizing the construction of the Bay de Noquet road, in the Upper Peninsula, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Richardson, from committee on public lands, reported the following :

The committee on public lands have had under consideration

A bill to provide for draining certain swamp lands, and instruct me to report the same to the House, to recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill read a first and second time, and

Mr. Ewing moved that the House adjourn.

Lost.

And the question recurring on the amendment of Mr. Ransom,

Mr. Ely moved the previous question thereon.

Mr. Chittenden moved a call of the House; but the motion did not prevail.

Mr. Marsh moved an adjournment.

The demand for the previous question was then seconded, and the main question ordered to be now put.

The main question being on the amendment of Mr. Ransom, it was lost, by the following vote:

YEAS :

Mr. Adams,  
Benedict,  
Bristol,  
Canfield,  
Craven,  
Ellsworth,  
Ewing,  
Gregory,

Mr. Griswold,  
Gulick,  
Ingalls,  
Irwin,  
Jennison,  
Lovell,  
Mathews,  
O'Callaghan,

Mr. Palmer,  
Ransom,  
Reno,  
Renwick,  
Strang,  
Sutherland,  
Toll,

23

NAYS :

Mr. Arnold,  
Bailey,  
Bates,  
Bonine,  
Burt,  
Chapel,  
Chittenden,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Mr. J. Gleason,  
Goff,  
Green,  
Haight,  
Hand,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
Parkhurst,  
Poppleton,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Traver,  
Worden,  
Speaker,

30

Mr. Ewing moved that the House adjourn.

Lost.

Mr. Chittenden moved a reconsideration of the vote on Mr. Ransom's amendment.

Lost.

On motion of Mr. Ellsworth;

The House adjourned.

*Lansing, February 7, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

Mr. Strang asked to have the following amendment made to the journal of Saturday evening, to wit :

Mr. Fitch moved to concur in the amendments in gross.

Mr. Strang demanded a division of the question so that the vote be taken on each amendment separately.

The Speaker decided the question as indivisible.

The amendment was made and the journal approved.

**PETITIONS PRESENTED.**

Mr. Ewing presented the petitions of A. D. Crane and 60 other voters; and of T. A. Dibble and 42 others not voters, of Washtenaw county, praying for the passage of the Maine law.

Laid on the table.

Mr. Merton : of the board of supervisors of the county of Cass, praying for a law to authorize said board to raise a tax for the purpose of certain drainage.

Referred to the committee on public lands.

Mr. Frey : of Wm. Elliott and others asking an amendment to the charter of the village of White Pigeon.

Referred to the committee on towns and counties.

Mr. H. Miller : of 32 citizens ; of Joseph R. Bonman and 100 others and of sundry persons, citizens of Oakland county, remonstrating against, and the memorial of John M. Chamberlin and others, and of John Davis and others, relative to the passage of a general rail road law.

Laid on table.

Mr. Palmer : of A. V. Gardner and 17 others, for an amendment to an act incorporating the Wesleyan Seminary.

Referred to the committee on education.

Mr. Smith : of E. Dewey and others ; of Thomas B. Church and others, and of Robert Hilton and others, of Kent county, praying for the passage of a general railroad law. Laid on the table.

Mr. Parkhurst: of E. H. Budington and 26 others, of Oakland county, remonstrating against the passage of a general railroad law.

The first named was read a first and second time and referred to judiciary committee.

The amendments to the second named were concurred in, and the same ordered enrolled.

The third named was ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sheldon gave notice that he would ask leave to morrow to introduce

A bill to enable the township of Decatur, in the county of Van Buren, to raise a certain tax, and for other purposes.

Mr. Chittenden offered the following preamble and resolution:

*Whereas*, It is alleged that House bill numbered 28, entitled a bill to provide for the incorporation of railroad companies, with manuscript amendments, has been surreptitiously taken from this House, and placed in the hands of interested parties, for the purpose as it is believed, of altering the same, and for other corrupt purposes, for the promotion of their own interest;

*And Whereas*, The taking of bills or papers from the possession of this House without its permission, is in violation of the rights of the members, and of the obligations imposed on the members and officers; therefore

*Resolved*, That a committee of three be appointed by the House, whose duty it shall be forthwith to examine and inquire into the facts above set forth, with power to send for persons and papers, and to report with all convenient speed.

Mr. Morton moved to lay on the table.

Agreed to.

Which, on motion of Mr. Chittenden,

Was reconsidered, and the preamble and resolution adopted.

The Speaker announced Messrs. Chittenden, Seymour and Bates, as the special committee under Mr. Chittenden's resolution.

THIRD READING OF BILLS.

A bill to change the name of Julien Allen, was taken up under the order of third reading, was read a third time and passed, as follows:

## YEAS:

Mr. Adams,  
 Arnold,  
 Bailey,  
 Bates,  
 Benedict,  
 Bristol,  
 Bonine,  
 Burt,  
 Canfield,  
 Chapel,  
 Chittenden,  
 Craven,  
 Davis,  
 Ellsworth,  
 Ely,  
 Ewing,  
 Fitch,  
 Fitzsimmons,  
 Frey,  
 James Gleason,  
 Gale,

Mr. J. P. Gleason,  
 Goff,  
 Griswold,  
 Haight,  
 Hand,  
 Haze,  
 Hudson,  
 Ingalls,  
 Irwin,  
 Jennison,  
 Jones,  
 Lathrop,  
 Lovell,  
 McDougall,  
 Matthews,  
 H. Miller,  
 C. L. Miller,  
 Mitchell,  
 Morton,  
 Murphy,  
 Norton,

Mr. O'Callaghan,  
 Parkhurst,  
 Poppleton,  
 Ransom,  
 Reno,  
 Renwick,  
 Richardson,  
 Rider,  
 Root,  
 Seymour,  
 Sherman,  
 Shoemaker,  
 Smith,  
 Strang,  
 Sutherland,  
 Thompson,  
 Toll,  
 Traver,  
 Winters,  
 Worden,  
 Speaker, 63

## NAYS:

0

Also, a bill to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31st, 1853, which was passed, as follows:

## YEAS:

Mr. Adams,  
 Arnold,  
 Bailey,  
 Bates,  
 Benedict,  
 Bristol,  
 Bonine,  
 Burt,  
 Chapel,  
 Chittenden,  
 Craven,  
 Davis,  
 Ellsworth,  
 Ely,  
 Ewing,  
 Fitch,  
 Fitzsimmons,  
 Frey,  
 Gale,

Mr. Goff,  
 Gregory,  
 Green,  
 Griswold,  
 Haight,  
 Hand,  
 Hudson,  
 Ingalls,  
 Irwin,  
 Jennison,  
 Jones,  
 Lovell,  
 McDougall,  
 Matthews,  
 H. Miller,  
 C. L. Miller,  
 Mitchell,  
 Morton,  
 Murphy,

Mr. Palmer,  
 Parkhurst,  
 Poppleton,  
 Ransom,  
 Renwick,  
 Richardson,  
 Rider,  
 Root,  
 Seymour,  
 Sheldon,  
 Shoemaker,  
 Smith,  
 Strang,  
 Sutherland,  
 Thompson,  
 Toll,  
 Traver,  
 Warner,  
 Winters,

James Gleason,  
J. P. Gleason,

Norton,  
O'Callaghan,

Worden,  
Speaker, 62

NAYS: 0

On motion of Mr. Mitchell,

The bill was ordered by a two-thirds vote to take immediate effect.

A bill to furnish to each school district in the State the unabridged American dictionary of the English language, by Noah Webster,

Was read the third time, when

Mr. Ransom moved to recommit to the committee on education.

Pending which,

Mr. Bonine moved to indefinitely postpone.

On which the yeas and nays were ordered, and the motion to indefinitely postpone was lost as follows:

YEAS :

Mr. Adams,  
Benedict,  
Bonine,  
Canfield,  
Chapel,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
James Gleason,  
J. P. Gleason,

Mr. Goff,  
Haight,  
Hand,  
Hudson,  
McDougall,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
Ransom,

Mr. Reno,  
Renwick,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Strang,  
Toll,  
Traver,  
Worden,

31

NAYS :

Mr. Arnold,  
Bailey,  
Bates,  
Bristol,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Frey,  
Gale,  
Gregory,  
Green,  
Griswold,

Mr. Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
Marsh,  
Mathews,  
Mitchell,  
Morton,  
O'Callaghan

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Richardson,  
Root,  
Shoemaker,  
Smith,  
Sutherland,  
Thompson,  
Warner,  
Winters,  
Speaker,

37

Mr. Winters moved that the bill be referred to a special committee of five.

Lost.



The question then recurring on the motion to recommit,

Mr. Ely moved to amend by inserting the words "committee on mines and minerals," in lieu of "committee on education;" when

Mr. Ransom withdrew the motion to recommit.

The question was then taken on the final passage of the bill, which was lost by the following vote:

## YEAS:

Mr. Arnold,  
Bates,  
Chittenden,  
Craven,  
Davis,  
Frey,  
Gale,

Mr. Gregory,  
Ingalls,  
Irwin,  
Jones,  
Mathews,  
Mitchell,  
Morton,

Mr. O'Callaghan,  
Parkhurst,  
Richardson,  
Root,  
Shoemaker,  
Smith,

20

## NAYS:

Mr. Adams,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
J. Gleason,  
John P. Gleason,  
Goff,

Mr. Green,  
Haight,  
Hand,  
Haze,  
Hudson,  
Jennison,  
Lathrop,  
Lovell,  
McDougall,  
H. Miller,  
C. L. Miller,  
Murphy,  
Norton,  
Palmer,  
Poppleton,

Mr. Ransom,  
Renwick,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

45

Mr. Sutherland moved a reconsideration.

Lost.

## UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up the bill to provide for the incorporation of railroad companies, the question thereon being its engrossment,

Pending which,

Mr. Ely offered the following amendment thereto:

In section 1, second line, strike out the words "twenty-five," and insert "seven."

Pending which,

Mr. Gale moved the indefinite postponement of the bill and amendment.

Mr. Ellsworth moved a call of the House.

Call ordered.

The roll was called, and all the members answered to their names, except Messrs. McWhorter and Warner.

On motion of Mr. Ellsworth,

All further proceedings under the call were dispensed with.

Mr. Fitch moved the previous question, which was seconded.

The question was then taken on the motion to indefinitely postpone, and lost, by the following vote:

YEAS:

|                |              |             |
|----------------|--------------|-------------|
| Mr. Adams,     | Mr. Gulick,  | Mr. Palmer, |
| Benedict,      | Hudson,      | Ransom,     |
| Canfield,      | Ingalls,     | Reno,       |
| Chittenden,    | Irwin,       | Renwick,    |
| Davis,         | Jennison,    | Richardson, |
| Ellsworth,     | Lovell,      | Rider,      |
| Ewing,         | Marsh,       | Strang,     |
| Gale,          | Matthews,    | Sutherland, |
| J. P. Gleason, | H. Miller,   | Toll,       |
| Gregory,       | O'Callaghan, |             |
|                |              | 29          |

NAYS:

|              |               |             |
|--------------|---------------|-------------|
| Mr. Arnold,  | Mr. Goff,     | Mr. Norton, |
| Bailey,      | Green,        | Parkhurst,  |
| Bates,       | Griswold,     | Poppleton,  |
| Bristol,     | Haight,       | Root,       |
| Bonine,      | Hand,         | Seymour,    |
| Burt,        | Haze,         | Sherman,    |
| Chapel,      | Jones,        | Sheldon,    |
| Davis,       | Lathrop,      | Shoemaker,  |
| Ely,         | McDougall,    | Smith,      |
| Fitch,       | C. L. Miller, | Thompson,   |
| Fitzsimmons, | Mitchell,     | Traver,     |
| Frey,        | Morton,       | Worden,     |
| J. Gleason,  | Murphy,       | Speaker,    |
|              |               | 39          |

The question then recurring on the amendment of Mr. Ely,

Mr. Winters moved to lay the same on the table.

Pending which,

Mr. Ely withdrew his amendment.

Mr. Strang then offered the following amendment:

Amend by inserting at the end of section seven, "The right to designate the terminus of the road to be constructed by any company formed under this act, and also its general route, is hereby reserved to the Legislature, and no road shall be constructed under this act, until said termini and route of the road are fixed, and the necessity of such road is declared and determined by the Legislature."

Mr. Fitch moved the previous question, which was seconded by the following vote:

## YEAS :

|                |                    |                   |    |
|----------------|--------------------|-------------------|----|
| Mr. Adams,     | Mr. J. P. Gleason, | Mr. C. L. Miller, |    |
| Arnold,        | Goff,              | Mitchell,         |    |
| Bailey,        | Gregory,           | Morton,           |    |
| Bates,         | Green,             | Murphy,           |    |
| Benedict,      | Griswold,          | Norton,           |    |
| Bristol,       | Haight,            | Poppleton,        |    |
| Bonine,        | Hand,              | Root,             |    |
| Canfield,      | Hase,              | Sherman,          |    |
| Chapel,        | Hudson,            | Sheldon,          |    |
| Davis,         | Irwin,             | Shoemaker,        |    |
| Ely,           | Jones,             | Smith,            |    |
| Fitch,         | Lathrop,           | Thompson,         |    |
| Fitzsimmons,   | Lovell,            | Traver,           |    |
| Frey,          | McDougall,         | Worden,           |    |
| James Gleason, | Mathews,           | Speaker,          | 46 |

## NAYS :

|             |             |              |    |
|-------------|-------------|--------------|----|
| Mr. Burt,   | Mr. Gulick, | Mr. Renwick, |    |
| Chittenden, | Marsh,      | Richardson,  |    |
| Craven,     | H. Miller,  | Rider,       |    |
| Ellsworth,  | O'Callaghan | Strang,      |    |
| Ewing,      | Palmer,     | Sutherland,  |    |
| Gale,       | Ransom,     | Warner,      |    |
| Ingalls,    | Reno,       | Winters,     |    |
| Jennison,   |             |              | 23 |

And the main question was then ordered to be now put.

The main question being on the amendment of Mr. Strang,

The same was rejected by the following vote:

## YEAS:

|             |              |             |
|-------------|--------------|-------------|
| Mr. Adams,  | Mr. Ingalls, | Mr. Ransom, |
| Canfield,   | Irwin,       | Reno,       |
| Chittenden, | Jennison,    | Renwick,    |
| Craven,     | Lovell,      | Richardson, |

Ellsworth,  
Ewing,  
J. P. Gleason,  
Gregory,  
Gulick,  
Hudson,

Marsh,  
Matthews,  
H. Miller,  
O'Callaghan,  
Palmer,  
Parkhurst,

Rider,  
Strang,  
Sutherland,  
Toll,  
Worden,

29

# NAYS:

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Chapel,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. Gale,  
James Gleason,  
Goff,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Jones,  
Lathrop,  
McDougall,  
C. L. Miller,  
Mitchell,

Mr. Morton,  
Murphy,  
Norton,  
Poppleton,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Thompson,  
Traver,  
Speaker, 39

Mr. Poppleton then offered the following amendment:

Insert in line 4, section 48, after the word "road," "and on each side of all farms."

Adopted.

Mr. Poppleton also offered the following amendment:

Strike out at end of section 24, "in its discretion," and add "from a township through which said road does not pass and is not proposed to pass, nor shall any such commissioner be appointed who is of kin to, or in any way connected with any stockholder, officer or agent thereof nor any person who is of kin or in any way connected with any of the parties in interest, directly or indirectly, nor any person owning property or residing in any town, village or city through or into which such road may or shall be proposed to be constructed."

Adopted.

Mr. Strang then offered the following amendment:

House bill No. 23, section 53, add at the end of the print "by mere operation of law without any judgment or action of any court whatever."

Adopted.

Mr. Strang also offered the following amendment, to come in after section 4.

Sec. —. No railroad or railroads from the eastern or southern boundary of the State, shall be built or constructed by virtue of or under this act, any portion of which shall approach westwardly of the township of Monroe, in the county of Monroe, within five miles of the Michigan Southern Railroad, as designated by an act to authorize the sale of the Michigan Southern Railroad, and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846.

Sec. —. No railroads shall be built or constructed by virtue of or under this act, which shall commence within twenty miles of the city of Monroe, and extend to Lake Michigan on the southern boundary line of this State, the line of which shall, on an average, run within twenty miles of the line of the Michigan Southern Railroad as the same was established by the act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846.

Sec. —. No railroad or railroads, from the eastern or southern boundary of the State, shall be built, constructed or maintained, under or by virtue of any provision of this law, any portion of which shall approach westwardly of Wayne county, within five miles of the line of the Michigan Central Railroad, as the same is designated in the "Act to authorize the sale of Central Railroad, and to incorporate the Michigan Central Railroad Company, approved March 28, 1846, without the consent of said company.

Sec. —. No railroad or railroads shall be built or constructed, under or by virtue of this act, which shall commence within twenty miles of the city of Detroit, and extend to Lake Michigan or to the southern boundary of this State, the line of which shall run, on an average, within twenty miles of the main line of the Michigan Central Railroad, as the same was established by the "act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company, approved March 28, 1846."

Sec. —. Nothing in the next preceding two sections shall be construed to restrict or prevent the construction of railroads, under, above, or across the Central Railroad, whenever such railroad may lawfully be built.

Lost as follows :

## YEAS:

Mr. Adams,  
Benedict,  
Canfield,  
Chittenden,  
Craven,  
Ellsworth,  
J. P. Gleason,  
Gregory,  
Gulick,

Mr. Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Marsh,  
Matthews,  
H. Miller,  
O'Callaghan,

Mr. Palmer,  
Ransom,  
Rene,  
Renwick,  
Strang,  
Sutherland,  
Toll,  
Winters,

25

## NAYS:

Mr. Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Burt,  
Chapel,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Mr. James Gleason,  
Goff,  
Haight,  
Hand,  
Haze,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
Poppleton,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Thompson,  
Traver,  
Worden,  
Speaker,

89

Mr. Chittenden moved that the House adjourn. Lost.

Mr. Strang then offered the following amendment:

Add to section 11, "but no such forfeiture shall be operative against any stockholder who shall be under legal disability, without proof of like personal notice upon the parent, guardian, or husband of such stockholder, or upon the Judge of Probate of the county in which such stockholder shall reside, in case he or she has no legal guardian." Adopted.

Mr. Gale offered the following :

Add to section 55, "nor shall any railroad be run into or through any county, except it pass through the county seat, and every other place of any importance in the same county."

Mr. Ewing offered the following substitute therefor, to stand as section—— :

"No rail road nor rail roads shall be constructed under the provisions of this act, unless it can be shown that said road or roads shall benefit directly the following States, to wit: Ohio, Indiana, and Illinois.

Mr. Ellsworth moved that the House adjourn. Lost.

Mr. El'sworth then moved to lay the substitute on the table, and order the same printed. Lost.

The question was then taken on the substitute of Mr. Ewing, and the same not agreed to.

Mr. Ellsworth moved that the House adjourn. Lost as follows :

## YEAS :

|             |            |             |
|-------------|------------|-------------|
| Mr. Adams,  | Mr. Haze,  | Mr. Ransom, |
| Benedict,   | Ingalls,   | Renwick,    |
| Canfield,   | Irwin,     | Richardson, |
| Chittenden, | Jennison,  | Rider,      |
| Craven,     | Lathrop,   | Strang,     |
| Ellsworth,  | Lovell,    | Sutherland, |
| Ewing,      | Marsh,     | Thompson,   |
| Gale,       | Matthews,  | Toll,       |
| Gregory,    | H. Miller, | Warner,     |
| Griswold,   | Palmer,    | Winters,    |
| Gulick,     |            |             |

31

## NAYS :

|              |                  |             |
|--------------|------------------|-------------|
| Mr. Arnold,  | Mr. Frey,        | Mr. Norton, |
| Bailey,      | James Gleason,   | Poppleton,  |
| Bates,       | John P. Gleason, | Root,       |
| Bristol,     | Goff,            | Seymour,    |
| Bonine,      | Green,           | Sherman,    |
| Burt,        | Haight,          | Sheldon,    |
| Chapel,      | Hand,            | Shoemaker,  |
| Davis,       | Jones,           | Smith,      |
| Ely,         | McDougall,       | Traver,     |
| Fitch,       | Mitchell,        | Worden,     |
| Fitzsimmons, |                  |             |

31

Mr. Morton moved the previous question, which was seconded, and the main question ordered to be now put.

The question was then taken on the amendment of Mr. Gale, and the same rejected.

Mr. Fitch moved that the bill be ordered engrossed and read the third time.

Mr. Chittenden moved that the House do now adjourn.

Lost.

Mr. Mitchell moved the previous question on the motion of Mr. Fitch; which was seconded, and the main question ordered to be now put.

The main question being on ordering the bill engrossed and read the third time, it was so ordered by the following vote:

## YEAS:

|              |                |             |
|--------------|----------------|-------------|
| Mr. Arnold,  | Mr. Frey,      | Mr. Murphy, |
| Balley,      | James Gleason, | Norton,     |
| Bates,       | J. P. Gleason, | Poppleton,  |
| Benedict,    | Goff,          | Root,       |
| Bristol,     | Green,         | Seymour,    |
| Bonine,      | Griswold,      | Sherman,    |
| Burt,        | Haight,        | Sheldon,    |
| Canfield,    | Hand,          | Shoemaker,  |
| Chapel,      | Jones,         | Smith,      |
| Chittenden,  | Lathrop,       | Thompson,   |
| Davis,       | McDougall,     | Traver,     |
| Ely,         | C. L. Miller,  | Worden,     |
| Fitch,       | Mitchell,      | Speaker,    |
| Fitzsimmons, | Morton,        |             |

41

## NAYS:

|             |              |             |
|-------------|--------------|-------------|
| Mr. Craven, | Mr. Lovell,  | Mr. Reno,   |
| Ellsworth,  | Matthews,    | Renwick,    |
| Ewing,      | H. Miller,   | Rider,      |
| Gregory,    | O'Callaghan, | Strang.     |
| Haze,       | Palmer,      | Sutherland, |
| Irwin,      | Parkhurst,   | Toll,       |
| Jennison,   | Ransom,      | Winters,    |

21

Messrs. Gale and Warner were excused from voting on the question.

Mr. Strang sent up the following protest, which was ordered entered on the journal:

I protest against the ordering of this bill to be engrossed, because there are numerous pending amendments reported by the committee of the whole, on which the question of concurrence has not been taken.

When, on motion of Mr. Traver,  
The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

## . PETITIONS.

Mr. H. Miller presented the remonstrance of 178 citizens of Oak- and county, against the passage of a general railroad law.



Laid on the table.

REPORTS.

Mr. Parkhurst, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the city of Detroit,

Have had the same under consideration, report it back to the House, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Morton the following:

The committee of ways and means, to whom was referred

Joint resolution for the relief of Almon Whipple,

Have considered the same, report it back to the House, recommend its passage, and ask to be discharged from its further consideration.

The joint resolution was referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Chittenden gave notice that to-morrow he would move to reconsider the vote of to-day, by which House bill No. 28, entitled a bill to provide for the incorporation of rail road companies was ordered engrossed for a third reading.

Mr. Chittenden also introduced joint resolution relative to a general rail road law.

Laid over one day under the rule.

On motion of Mr. Worden,

A bill to incorporate the village of Hudson,

Was taken from the table and placed on the order of its third reading.

On motion of Mr. C. L. Miller,

*Resolved*, That the committee on education be instructed to report back House bill No. 41 without delay.

Mr. Gregory moved that the joint resolution proposing an amendment to the constitution relative to license, be taken from the table.

Agreed to.

The question being taken on Mr. Reno's amendment, which was as follows:

*Provided*, That this amendment shall not in any way interfere with the cultivation of barley, grapes and fruits, nor with the manufacturing of the same into beer, wine or cider.

The same was not agreed to.

Mr. Gregory then offered the following amendment:

It shall be the duty of the Secretary of State, and all other officers required to give or publish any notice in regard to said general elections, to give notice that this amendment has been duly submitted to a vote of the electors of the State at said general election, and the canvass of the votes cast for the adoption and rejection of this amendment, and the return thereof shall be made by the proper canvassing officers, in the same manner as is now provided by law for the canvass and return of votes given at said general election.

Which prevailed.

The joint resolution, as amended, was then read the third time and lost by the following vote:

#### YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Bristol,  
Burt,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,

Mr. Frey,  
Gale,  
Gregory,  
Green,  
Haight,  
Haze,  
Ingalls,  
Jones,  
Lathrop,  
Lovell,  
Mathews,  
Mitchell,

Mr. Morton,  
Parkhurst,  
Poppleton,  
Renwick,  
Richardson,  
Seymour,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Winters,

35

#### NAYS :

Mr. Benedict,  
Bonine,  
Canfield,  
Chapel,  
Chittenden,  
Fitzsimmons,

Mr. Hand.  
McDougall,  
Marsh,  
H. Miller,  
Norton,  
Ransom,

Mr. Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Toll,

J. Gleason,  
Goff,

Reno,  
Rider,

Worden,

23

Mr. Ellsworth moved that House bill No. 46, be taken from the general order and placed upon the order of third reading of bills.

Lost.

Mr. O'Callaghan moved that House bill No. 58 be taken from the general order, and placed on file of third reading of bills and joint resolutions.

Lost.

Mr. Ely introduced a joint resolution relative to military road in the upper peninsula.

Read a first and second time and referred to committee on roads and bridges.

Mr. Richardson moved to take the bill to organize the township of Auchville, from the general order and place it on the order for third reading.

Agreed to.

Mr. H. Miller gave notice that he would on some future day ask leave to bring in a bill to prescribe the form of a deed of real estate.

#### THIRD READING OF BILLS.

A bill to amend an act to incorporate the Native Copper Company, was read a third time and passed, as follows:

#### YEAS.

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Hase,  
Ingalls,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,

Goff,

Palmer,

Speaker,

60

NAYS.

0

On motion of Mr. Sherman, the bill was then ordered to take immediate effect by a vote of two-thirds of all the members elected.

The House then went into committee of the whole on the general order,

Mr. Mitchell in the chair.

And after spending some time thereon, the committee rose and by their chairman, reported back to the House,

A bill for the construction of a ship canal around the Falls of St. Mary's ;

Joint resolution for donating lands to the landless out of the public domain, and

A bill to set off from the county of Kent towns 9 and 10 north of range 9 west and to annex the same to the county of Montcalm, with a recommendation that they do not pass.

Also, without amendment,

A bill authorizing the Auditor General to settle with and allow to the county of Kent certain moneys paid by said county on account of wolf bounties.

A bill to amend sections 27, 59, and 40, of an act entitled an act to provide for the formation of companies to construct plank roads.

Also, with amendments,

A bill to provide for the incorporation of institutions of learning.

A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace.

A bill to amend section 22 of chapter 58 of the revised statutes of 1846 ; and,

A bill providing for compensation of judges of probate.

In all of which they asked the concurrence of the House, and, asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

When, on motion of Mr. Ransom,

The House took a recess until 7 o'clock this evening.

*Evening Session.*

7 o'clock.

The House met at 7 o'clock, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

The following message was announced from the Senate, by consent:

SENATE CHAMBER,  
Lansing, February 7, 1853. }

*To the Speaker of the House of Representatives :*

SIR—Herewith is transmitted

A bill in aid of the Michigan Asylums,

Which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bill was read a first and second time and referred to committee on State affairs.

Also the following :

SENATE CHAMBER,  
Lansing, February 7, 1853. }

*To the Speaker of the House of Representatives :*

SIR—Herewith is transmitted

A bill to amend an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers,

Which the Senate have passed by a majority of all the Senators elect; also,

A bill to provide for the discharging of record of certain mortgages, executed under the act entitled an act to organize and regulate banking associations;

Which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect or-

dered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bills were severally read a first and second time and referred to committee on the judiciary.

The House then went into committee of the whole on the general order,

Mr. Fitch in the chair.

And after spending some time thereon, rose and through their chairman reported back to the House without amendment,

A bill to amend an act to incorporate the President, Directors and Company of the Farmers' and Merchants' Bank of Ann Arbor; also with an amendment,

A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes,

In which they asked the concurrence of the House, and to be discharged from their further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Poppleton,

The House adjourned.

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*Lansing, February 8, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbacker.

The roll was called and a quorum found to be present.

The journal of Saturday was corrected and approved.

PETITIONS.

Mr. Poppleton presented the petition of James L. Thorn and 70 others of Jackson county; of Henry S. Holcomb, and 105 others; and of S. O. Knapp, and 58 others, in favor of the pardon of the Central Railroad prisoners, so called, now in State Prison.

Referred to the select committee on the subject.

Mr. Winters; of M. H. Tuttle, N. Abbot, and others, voters, and of Mrs. W. H. Brockway, Miss A. Childs, and 48 others, all of Albion, Calhoun county, praying for the passage of the Maine Law.

Laid on the table.

Mr. Murphy: of 14 legal voters; of Duncan McVain and 28 other voters; of Mary McVain and 48 others; and of 21 persons not voters, of Martin, Allegan county, same prayer.

Laid on the table.

#### REPORTS OF COMMITTEES.

Mr. Mitchell, from the committee on education, submitted the following report:

The committee on education have had under consideration,

A bill to amend sections 1 and 2 of an act authorizing the Commissioner of the State Land Office to sell certain primary school lands, and direct me to report the same back, and recommend its passage.

The committee have also had under consideration,

A bill to amend chapter 60, section 1, of the revised statutes, and the instructions therewith given, and respectfully report, that they have made what inquiry they could in the limited time allowed them in regard to the university lands as well as other school lands. That so far as they have been able to learn, there are some of the university lands not now worth the full sum of the minimum price now fixed by law, while others are worth more than that sum. They have not been able to obtain any information that would enable them to designate specifically what portions of said lands are worth less than twelve dollars. They are of the opinion, that the proposed reduction in the price of the said lands at this time, would work a manifest injury to the University Fund. They submit herewith a statement received from the office of the Commissioner of the State Land Office. Your committee are not instructed to make any further report in regard to the bill, and therefore report the same back and ask to be discharged from its further consideration.

Attempts have formerly been made to reduce the minimum of university lands to prices ranging from \$4 to \$8 per acre, by legislative enactment, which have failed, and much of the same land has been since sold at \$12 per acre. The constant improvements of other

lands in proximity to university lands, has a tendency to make them sought after.

Facts are constantly transpiring which induce the belief, if they do not demonstrate the certainty, that nearly all of these lands will sell at the price now fixed by law in from five to seven years. The price of such as remain unsold in five years might be reduced, if then thought advisable.

About 20,000 acres of these lands remain unsold, of which I have no doubt 15,000 acres will bring \$12 per acre; if then you reduce to \$9 per acre, you rob the fund of \$45,000 dollars; by far too large a sum to be lost to educational purposes in Michigan. Besides, every thing indicates more activity in real estate transactions for the future. The sales of the trust lands have this year opened on a large scale; \$10,000 worth of this variety of lands has been sold at this office in the last sixty days, and the sales of school lands in the same time have amounted to almost \$17,000.

The report was accepted, the committee discharged, and the bills severally referred to the committee of the whole.

Mr. Mitchell, also from the judiciary committee, reported

A bill to amend chapter 131 of title 24 of the revised statutes of 1846,

Recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read twice, referred to committee of the whole and placed on the general order.

Mr. Ely, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, through their chairman, reported

A bill to create a road fund for the benefit of the State road between Lansing in Ingham county, and Eaton Rapids, in Eaton county, and to authorize the appointment of commissioners to expend the same, and recommend its passage.

The report was accepted, the committee discharged, the bill read twice, referred to committee of the whole and placed on the general order.



Also the following:

The committee on roads and bridges, to whom was referred the joint resolutions relative to a military road in the Upper Peninsula, through their chairman reported the same back and recommended their passage.

The report was accepted, the committee discharged, and the joint resolutions referred to the committee of the whole.

Mr. Goff, from the committee on State affairs, submitted the following report:

The committee on State affairs, to whom was referred the Senate bill for the relief of the Michigan Asylums, have had the same under consideration, and a majority of said committee now beg leave to report the same back to the House, recommend its passage and ask to be discharged.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Traver,

*Resolved*, That the Clerk of this House be and he is hereby directed to keep a schedule of all bills and resolutions placed on the general order, showing the order in which they have been referred to the committee of the whole House, and that he give to the chairman in committee of the whole the bills in the order in which they belong in such schedule.

Mr. H. Miller, on leave, pursuant to previous notice, introduced  
A bill to provide for the form of a deed of real estate.

Read a first and second time and referred to the judiciary committee.

Mr. Sheldon, on leave, pursuant to previous notice, introduced

A bill to enable the township of Decatur, in the county of Van Buren, to raise a certain tax, and for other purposes.

Read twice and referred to the committee of ways and means.

Mr. Richardson moved that the House bill entitled

A bill to provide for draining certain swamp lands be taken from the table and placed on the order of third reading of bills.

Agreed to.

Mr. Strang, by unanimous consent, introduced

A bill to amend the revised statutes of 1846, concerning the disturbing religious meetings, which was read a first and second time, and referred to the committee on judiciary.

Mr. Gregory gave notice that he would ask leave to introduce a bill on some future day, to amend chapter fifty eight of the revised statutes of 1846.

Mr. Sutherland moved that House bill number 65 be taken from the table and put on its final passage.

Agreed to.

After some debate between Messrs. Seymour, Sutherland and Strang,

On motion of Mr. Sutherland,

It was laid on the table.

Mr. Parkhurst moved to reconsider the vote by which the concurrent resolution proposing an amendment to the constitution was lost yesterday.

Agreed to.

On motion of Mr. Parkhurst,

The resolution was laid on the table.

#### THIRD READING OF BILLS.

Under the order of the third reading of bills,

A bill incorporating the village of Hudson, was taken up and read a third time and passed by the following vote :

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chape',  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
James Gleason,

Mr. Gregory,  
Green,  
Haight,  
Hand,  
Haze,  
Hudson,  
Ingalls,  
Irwin,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Mathews,  
Mitchell,  
Morton,  
Norton,  
O'Callaghan,

Mr. Parkhurst,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider.  
Root,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Traver,  
Warner,  
Winters,  
Worden,

J. P. Gleason,  
Goff,

Palmer,

Speaker,

55

**NAYS :**

Mr. Benedict,  
Chittenden,

Mr. Jennison,

Mr. H. Miller,

4

Also, a bill to organize the township of Auchville, in the county of Tuscola ;

Was read a third time and passed, by the following vote:

**YEAS :**

Mr. Arnold,  
Bailey,  
Bates,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. P. Gleason,  
Goff,

Mr. Green,  
Haight,  
Haze,  
Hudson,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McWhorter,  
Murphy,  
Norton,

Mr. Ransom,  
Richardson,  
Rider,  
Sherman,  
Shelden,  
Strang,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Worden,  
Speaker,

37

**NAYS :**

Mr. Benedict,  
Bristol,  
Burt,  
Canfield,  
Chittenden,  
Gale,

Mr. Gregory,  
Hand,  
Irwin,  
McDougall,  
H Miller,  
C. L. Miller,

Mr. Mitchell,  
Parkhurst,  
Poppleton,  
Renwick,  
Smith,

17

On motion of Mr. Norton,

The bill was ordered by a two-thirds vote to take immediate effect.

A bill to provide for the draining of certain swamp lands, was read a third time and lost, by the following vote:

**YEAS :**

Mr. Adams,  
Bates,  
Bristol,  
Canfield,  
Craven,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. Hand,  
Haze,  
Hudson,  
Ingals,  
Irwin,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,

Mr. Ransom,  
Reno,  
Richardson,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Smith,  
Strang,  
Sutherland,

J. Gleason,  
John P. Gleason,  
Goff,  
Gregory,  
Green,

Mitchell,  
Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,

Thompson,  
Traver,  
Warner,  
Winters,  
Speaker, 45

# NAYS:

Mr. Arnold,  
Benedict,

Mr. Davis,

Mr. Murphy,

4

Mr. Parkhurst moved to reconsider.

Agreed to.

On motion of Mr. Ely,

The bill was laid on the table.

## UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up

A bill authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys, paid by said county on account of wolf bounties; and

A bill to amend sections 27, 39 and 40 of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851,

Reported back by committee of the whole without amendment.

The bills were severally ordered to be engrossed and read the third time.

A bill to amend section 22 of chapter 58 of the revised statutes of 1846; and

A bill providing for the compensation of judges of probate,

Reported back by committee of the whole, each with amendments, the amendments having been concurred in, in gross, were severally ordered to be engrossed and read the third time.

A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace,

Reported back by committee of the whole with sundry amendments, being under consideration,

Mr. Mitchell moved that the amendments be concurred in, in gross.

Mr. Chittenden made a point of order on the motion of Mr. Mitchell, and asked that the question be taken separately on each of the amendments.

The question was ordered to be taken separately on each amendment, and they were severally concurred in, and the bill ordered to be engrossed and read the third time.

A bill to provide for the incorporation of institutions of learning, the amendments having been concurred in, was ordered to be engrossed and read the third time.

The bill to set off from the county of Kent, towns 9 and 10 north of range nine west, and to annex the same to the county of Montcalm, reported back by committee of the whole with the recommendation that it do not pass, being under consideration,

Mr. Shoemaker moved its indefinite postponement; but the motion did not prevail.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Ely,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

PETITIONS PRESENTED.

Mr. Griswold presented the petition of R. W. Landon, Robert Gephart, Harmon Griswold, and 36 other citizens of Niles, praying for a general railroad law; and

Mr. Bristol: the remonstrance of H. C. Andrews, W. B. Hubbard, and 38 others, of Oakland, against the passage of the same.

Severally ordered laid on the table.

Mr. Ransom: the petition of D. P. Sheldon and 40 others, citizens of Kalamazoo county, for the taxation or destruction of dogs,

Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Griswold, from the committee on engrossment and enrollment, reported as correctly engrossed,

House bill No. 28, to provide for the incorporation of railroad companies.

Mr. Chittenden, from the select committee on the subject of the alleged removal of House bill number 28, from the files of the House, submitted the following report :

The committee to whom was referred preamble and resolution respecting House bill number 28, respectfully beg leave to report that they have had under consideration said preamble and resolution, and are of opinion that said bill was not at any time out of possession of this House, and further, that copies of amendments were furnished to such members as applied for the same, and further, that no improper direction was given to said bill No. 28, by any member or officer of this House. Accompanying this report is the statement of D. P. Bushnell Esq., Clerk of this House, and also the copy of the amendments, by him furnished to Hon. Mr. Morton of Monroe, and others. The committee, for reasons above stated, respectfully recommend the passage of the following resolution :

*Resolved*, That this House are of opinion that no blame can be attached to any member or officer of this House, as set forth in preamble above alluded to.

The report was received, the committee discharged and the report and resolution adopted.

Mr. James Gleason from the committee on agriculture and manufactures, to whom was referred

A bill to establish an agricultural school, reported the same back without amendment, recommended its passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Sherman, from the committee on mines and minerals reported

A bill to amend an act entitled an act to incorporate the Cleveland Iron Mining Company of Michigan, approved April 2, 1850.

Read twice and referred to committee of the whole.

Mr. Lathrop from the select committee on the subject of the appropriation for the Northern Wagon Road, submitted a report in writing, accompanied by a joint resolution on the subject, which,

On motion of Mr. H. Miller,

Were laid on the table and ordered printed.

Mr. Worden, from the committee on banks and incorporations submitted the following report :

The committee on banks and incorporations to whom was referred A bill to authorize the board of supervisors of Van Buren county to loan the credit of said county to certain plank road companies, have had the same under consideration, and have directed me as their chairman to report the same back to the House, recommend its passage and ask to be discharged.

The report was accepted and the committee discharged, the bill read twice and referred to the committee of the whole.

#### MESSAGES.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 3, 1853.

*To the Speaker of the House of Representatives:*

SIR—I am instructed to respectfully inform the House of Representatives that the Senate have appointed Senators Beeson, Snow and Gould, a committee of conference, to confer with a like committee on the part of the House in the disagreement between the two Houses on

House bill to amend section 49 of chapter 154 of the revised statutes.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y of Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Richardson moved that the bill providing for draining certain swamp lands, be taken from the table and committed to the committee on public lands, with instructions to strike out the last section, and report the same back to this House immediately.

Agreed to.

Mr. Smith, from the committee on public lands, soon after reported the bill back amended as instructed, and asked to be discharged.

The report was accepted, the committee discharged, and the bill passed, by the following vote:

#### YEAS:

Mr. Adams,  
Arnold,

Mr. Green,  
Griswold,

Mr. Poppleton,  
Ransom,

Bailey,  
Bates,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
Goff,  
Gregory,

Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Reno,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

58

## NAYS:

Mr. Toll,

1

## THIRD READING OF BILLS.

The bill to provide for the incorporation of railroad companies, was taken up for a third reading; when

Mr. Mitchell moved a call of the House.

Call ordered.

The roll was called, and all the members answered to their names, except Messrs. Gulick and John P. Gleason, absent without leave, and Mr. Hudson with leave.

Mr. Gulick was excused on account of sickness, and a messenger dispatched to procure the attendance of Mr. Gleason.

All further proceedings under the call were then dispensed with.

The bill was then read the third time; when

Mr. Mitchell moved to recommit the same to the committee on banks and incorporations, and to add the following words at the end of section 31:

"*Provided*, That no such company shall issue any bond for a less amount than one hundred dollars."

Mr. Chittenden moved to strike out "one hundred," in the instructions, and insert "five hundred."

Lost.



Mr. Strang moved to strike out "one hundred," and insert "two hundred."

Lost.

The motion of Mr. Mitchell then prevailed.

Mr. Worden, from the committee on banks and incorporations, soon thereafter reported the bill back, amended as instructed, and asked to be discharged.

The report was accepted and the committee discharged.

The bill was then passed, by the following vote:

#### YEAS:

Mr. Arnold,  
Bailey,  
Bates,  
Bonine,  
Burt,  
Chapel,  
Chittenden,  
Davis,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,

Mr. Goff,  
Green,  
Griswold,  
Haight,  
Hand,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Mr. Poppleton,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Thompson,  
Traver,  
Warner,  
Worden,  
Speaker,

41

#### NAYS:

Mr. Adams,  
Benedict,  
Bristol,  
Canfield,  
Craven,  
Ellsworth,  
Ewing,  
John P. Gleason,  
Gregory,  
Haze,

Mr. Hudson,  
Ingalls,  
Irwin,  
Jennison,  
Lovell,  
Marsh,  
Matthews,  
H. Miller,  
O'Callaghan,  
Palmer,

Mr. Parkhurst,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Strang,  
Sutherland,  
Toll,  
Winters,

29

Mr. Mitchell moved a reconsideration of the last vote, but the House refused to reconsider.

Mr. Chittenden then gave notice of his intention to move a reconsideration to-morrow.

Mr. Chittenden then moved that the House take a recess until 7 o'clock.

Mr. Ely moved that the House adjourn.

Lost.

The question was then taken on motion of Mr. Chittenden and lost.

UNFINISHED BUSINESS.

House bill for the construction of a ship canal at the Falls of St. Mary,

On motion of Mr. Ely, was indefinitely postponed.

A joint resolution for devoting lands to the landless out of the public domain, was,

On motion of Mr. Marsh, indefinitely postponed.

A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes, the amendments thereto having been concurred in, was ordered to be engrossed and read a third time.

Joint resolution relative to a general rail road law,

On motion of Mr. Ely,

Was ordered laid on the table.

The House then resolved itself into committee of the whole on the general order,

Mr. Gale in the chair.

After spending some time thereon, the committee rose and through their chairman reported back to the House,

A bill conferring additional powers on judges of probate, and providing for the administration of the estates of deceased persons, with sundry amendments thereto, asked the concurrence of the House therein and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The amendments were severally concurred in, and the bill ordered to be engrossed and read the third time.

On motion of Mr. Ellsworth,

The House adjourned.

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*Lansing, February 9, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The roll called; a quorum present.

The journal of yesterday was approved.

## PETITIONS.

Mr. Haight presented the petition of C. Van Husen, J. M. Haywood and 23 others, citizens of Saline, Washtenaw county, in favor of a general rail road law.

Ordered laid on the table.

Mr. Shoemaker, of J. S. Hooker and 29 others, and of J. W. Sprague and others of Kent county, asking an investigation into the expenditure of the 7000 acres of land appropriated for the improvement of the Detroit and Grand River Railroad in 1848.

Referred to the committee on public lands.

## REPORTS.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for approval,

An act to amend sections 3, 9, 18, 19 and 20 of an act entitled

An act relative to plank roads, approved March 13, 1848, and to add six new sections to stand as sections 25, 26, 27, 28, 29 and 30 ; also,

An act to amend sections 13 and 18 of an act entitled,

An act to incorporate the village of Hillsdale ; also,

An act to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw ; also,

An act relative to surplus funds in the treasury ; also,

An act to provide for taking the census and statistics of this State, and

Joint resolution relative to the Chippewa Indians of Lake Superior.

Mr. Sutherland, from the committee on the judiciary, submitted the following report :

The committee on judiciary have had under consideration

A bill entitled a bill to complete the judicial organization of the State, and instruct me to report the same to the House, to recommend its passage, and to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

Mr. Strang moved a suspension of the rules to put the bill on its third reading.

Lost.

The bill was then referred to the committee of the whole and placed on the general order.

Also the following :

The committee to whom was referred Senate bill No. 11 entitled

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may exist, or may have occurred in that office,

Have had the same under consideration and instruct me to report the same with amendments, to recommend its passage, and to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged, the bill referred to committee of the whole and placed on the general order.

#### MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER,  
Lansing, Feb. 8, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

Joint resolution instructing our Senators, and requesting our Representatives in Congress to act relative to the declaration of the views of the United States, respecting the colonization of the American Continent by European powers,

Which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,  
Sec. Senate.

The joint resolution was read a first and second time, and

On motion of Mr. Ransom,

The rule was suspended and the joint resolution was read a third time and passed.

●

SENATE CHAMBER,  
Lansing, February 9, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill making appropriation for the State Normal School, which

the Senate have passed by a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The bill was read a first and second time and referred to the committee on education.

Also the following:

SENATE CHAMBER, }  
Lansing, Feb. 8, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

A bill to discontinue a certain road in the township of Martin, in the county of Allegan.

I am directed to inform the House that the Senate have concurred in the same by a majority of all the Senators elect.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bill was ordered enrolled.

Also the following:

SENATE CHAMBER, }  
Lansing, February 8, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

A bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Which the Senate have passed with amendments, in which they ask the concurrence of the House, and have ordered by a two-thirds vote of all the Senators elect that the bill take immediate effect.

Yours, &c.,

O. W. MOORE,

*Sec. Senate.*

The question being on concurring in the amendments of the Senate, the ayes and noes were ordered thereon, and the amendments were concurred in by the following vote:

## YEAS:

|                  |              |                |
|------------------|--------------|----------------|
| Mr. Adams,       | Mr. Gregory, | Mr. Parkhurst, |
| Arnold,          | Griswold,    | Poppleton,     |
| Bailey,          | Haight,      | Ransom,        |
| Benedict,        | Hand,        | Renwick,       |
| Bristol,         | Haze,        | Richardson,    |
| Bonine,          | Ingalls,     | Rider,         |
| Burt,            | Jennison,    | Root,          |
| Canfield,        | Jones,       | Seymour,       |
| Chapel,          | Lathrop,     | Sheldon,       |
| Craven,          | Lovell,      | Shoemaker,     |
| Davis,           | McDougall,   | Smith,         |
| Ellsworth,       | McWhorter,   | Sutherland,    |
| Ely,             | Marsh,       | Thompson,      |
| Ewing,           | Matthews,    | Warner,        |
| Fitch,           | H Miller,    | Winters,       |
| Fitzsimmons,     | Mitchell,    | Worden,        |
| Frey,            | Murphy,      | Speaker,       |
| John P. Gleason, | Norton,      | 53             |

## NAYS:

|                |              |           |
|----------------|--------------|-----------|
| Mr. Bates,     | Mr. Green,   | Mr. Reno, |
| Chittenden,    | Irwin,       | Strang,   |
| Gale,          | O'Callaghan, | Toll,     |
| James Gleason, | Palmer,      | Traver,   |
|                |              | 13        |

The bill as amended, was then ordered to be enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitch moved to take from the table Senate bill No. 52, to amend the charter of the Farmers' and Merchants' Bank of Ann Arbor, and order it to a third reading.

The question was first taken on taking from the table; and the same was agreed to.

The question then being on ordering the bill to a third reading,

Mr. Ransom offered the following amendment thereto:

Strike out "six," in line 1, section 1, and insert the word "thirteen."

Also strike out the whole of section 1, after third line thereof.

Strike out the whole of section 2, of section 3, of section 6, and the whole of section 7.

After a lengthy debate by Messrs. Ransom, Fitch, Poppleton, Seymour, Traver, Gale, Sutherland and Strang,

On motion of Mr. Chittenden,

The House adjourned without taking the question.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

**PETITIONS.**

Mr. Sutherland presented the petition of L. Perkins and 60 others, and of S. W. King and 38 others, of Saginaw county, for the passage of a law authorizing said county, to loan its bonds to aid in constructing a plank road.

Ordered laid on the table.

**REPORTS.**

Mr. Mitchell, from the committee on education, to whom was referred a bill making appropriations for the State Normal School, reported the same back, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted the committee discharged, and the bill referred to committee of the whole.

Mr. Morton submitted the following report, from the committee of ways and means:

The committee of ways and means, report to the House and recommend the passage of

A bill to amend sections 1, 4, and 6, of an act to provide for a State Board of Education.

The report was accepted, the committee discharged, the bill twice read, when

Mr. Mitchell moved a suspension of the rules to put the same on its final passage ;

Agreed to.

The bill was then read the third time and passed by the following vote :

**YEAS:**

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Jennison,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Root,  
Seymour,

Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,

Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,

Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker, 60

### NAYS:

Mr. Ellsworth submitted the following report from the judiciary committee :

The committee on the judiciary have had under consideration,  
A bill to amend an act entitled,

An act relative to costs in criminal cases, approved March 18, 1849, and report the same to the House and recommend its passage.

The report was accepted and the committee discharged, and the bill twice read, referred to the committee of the whole and placed on the general order.

### MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER,  
Lansing, February 9, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

1. A bill to amend section 32, of an act entitled an act to incorporate the city of Adrian approved January 31, 1853.

2. A bill to extend the time for the collection of taxes in the township of Rollin in the county of Lenawee.

In which the Senate have concurred by a two-thirds vote of all the Senators elect, and by a majority vote of all the Senators elect, have ordered that the same take immediate effect. Also,

3. Joint resolution relative to lot number 1, Block 95 for the first Baptist Church in Lansing.

In which the Senate have concurred by a vote of two-thirds of all the Senators elect.

Also, herewith is transmitted,



4. A bill to authorise certain State officers to convey certain land to the First Universalist Church and the First Wesleyan Methodist Church and society in Lansing,

Which the Senate have passed by a vote of two-thirds of all the Senators elect ; also,

5. A bill to amend an act entitled, an act to incorporate the Detroit River Sectional Dock, Dry Dock and Marine Railway Company, approved March 17, 1847 ;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect ; also,

6. Joint resolution for the relief of Hiram R. Andrews,

Which the Senate have passed by a majority vote of all the Senators elect and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The three bills first named were severally ordered enrolled.

The 4th, 5th and 6th named were severally read a first and second time and referred as follows :

The 4th named to the committee on education.

The 5th named to the committee on banks and incorporations.

The 6th named to committee on ways and means.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Strang gave notice that he would on some future day introduce  
A bill to change the names of certain townships in the county of Newaygo ;

Also, that he would on some future day, ask leave to introduce

A bill to re-enact divers acts passed at the regular session of the Legislature, for the year 1851, but not completed and signed till after the adjournment.

Mr. Strang moved that,

A bill to complete the judicial organization of the State,

Be taken from the table and put upon the order of its third reading.

Agreed to.

On motion of Mr. Lathrop,

*Resolved*, That the use of this hall be tendered to the friends of temperance for a meeting at 7 o'clock this evening.

Mr. Lathrop moved to take House bill No. 76 from the general order, and discharge the committee of the whole from further consideration thereof.

Agreed to.

On motion of Mr. Mitchell,

The bill was put on the order of its third reading.

Mr. Seymour moved that the bill for the erection of public offices at the seat of government at Lansing, be taken from the general order and ordered to a third reading.

Agreed to.

Mr. Lovell gave notice that he should to-morrow ask leave to introduce

A bill to provide for the draining of swamp lands in the township of Climax, county of Kalamazoo.

Mr. Mitchell asked and obtained unanimous consent to introduce

A bill to provide for the collection of taxes in the township of Linn, county of St. Clair.

The bill was read a first and second time, when Mr. Mitchell asked unanimous consent to put it upon its final passage, which being granted, the bill was read a third time and passed by the following vote:

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Benjamin,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,

Mr. Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,

Mr. O'Callaghan,  
Palmer,  
Parkhurst,  
Popperton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Thompson,  
Toll,  
Traver,

Frey,  
James Gleason,  
Goff,

Morton,  
Murphy,  
Norton,

Winters,  
Worden,  
Speaker,

57

## NAYS:

Mr. Strang,

1

Mr. Ransom asked and obtained unanimous consent to introduce

A bill supplementary to an act relative to surplus funds in the State treasury,

Being House bill of the present session, No. 73, which was read a first and second time, and by unanimous consent put upon its final passage, when it was read a third time, and passed by the following vote:

## YEAS :

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Bart,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitzsimmons,  
Frey,  
James Gleason,  
Griswold,  
Haight,  
Hand,

Mr. Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

52

## NAYS :

Mr. Fitch,  
Gale,

Mr. Goff,  
Gregory,

Mr. C. L. Miller,  
Thompson,

6

On motion of Mr. Mitchell,

It was ordered by a two-thirds vote to take immediate effect.

Mr. Strang moved that the House bill No. 65, entitled

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

Be recommitted to the committee on the judiciary, with instructions to so amend the same that the Supervisors of Saginaw shall

have power by a two-thirds vote to loan the bonds therein mentioned, and to strike out the last section, and report forthwith.

Mr. Seymour offered the following amendment to the instructions:

Amend the instructions so as to require the judiciary committee to prepare amendments requiring the Saginaw and Bad River Company to give a bond to the county of Saginaw, with good and sufficient sureties, satisfactory to two-thirds of the supervisors, and approved by them, to indemnify the county, and to provide that said bonds shall not be delivered till a plank road shall be completed from Saginaw City to the forks of Bad River;

And Mr. Burt the following amendment to the amendment:

Section 1, line 2, insert after the word "all," the words "legal voters thereof." Third line, strike out the words "members elected."

After some debate thereon,

Mr. Ewing moved the previous question, which was seconded, and the main question ordered to be now put.

The question was then taken on the amendment offered by Mr. Burt, and the same disagreed to.

The question was then taken on Mr. Seymour's amendment, and lost.

The question was then taken on Mr. Strang's motion and instructions, and the same agreed to.

Mr. Ellsworth soon after reported the bill back amended as instructed, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The question then recurring on the final passage of the bill, a majority of all the members elected not voting therefor, the same was lost by the following vote:

#### YEAS:

Mr. Adams,  
Bailey,  
Bristol,  
Bonine,  
Chittenden,  
Craven,  
Davis  
Ellsworth,

Mr. Haze,  
Ingalls,  
Jennison,  
Jones,  
O'Callaghan,  
Parkhurst,  
Poppleton,  
Ransom,

Mr. Rider,  
Root,  
Sherman,  
Sheldon,  
Strang,  
Sutherland,  
Toll,  
Worden,

Fitch,  
Griswold,

Richardson,

Speaker,

28

**NAYS:**

Mr. Bates,  
Benedict,  
Burt,  
Chapel,  
Ely,  
Ewing,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,

Mr. Goff,  
Green,  
Haight,  
Hand,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
C. L. Miller,

Mr. Morton,  
Murphy,  
Norton,  
Reno,  
Renwick,  
Seymour,  
Smith,  
Thompson,  
Traver,  
Warner,

31

Mr. Seymour moved a reconsideration of the last vote.

Lost.

On motion of Mr. Green,

*Resolved*, That the use of this Hall for Thursday evening next, be granted for a free lecture on the subject of Phonetic reform.

Mr. Morton introduced

A joint resolution relative to the assessment of certain property in the cities of Detroit and Monroe.

Laid over one day, under the rule.

On motion of Mr. Marsh,

*Resolved*, That House bill No. 83 be taken from the general order and placed in the order of third reading being

A bill to provide for draining a certain lake in the town of Springfield, Oakland county.

The bill was then read a third time and passed by the following vote, under a suspension of the rule :

**YEAS :**

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bonine,  
Bart,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,

Mr. J. Gleason,  
Goff,  
Gregory,  
Haight,  
Hand,  
Irwin,  
Jones,  
Lathrop,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,

Mr. Ransom,  
Renwick,  
Richardson,  
Root,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,

Fitch,  
Fitzsimmons,  
Gale,

Palmer,  
Parkhurst,  
Poppleton,

Winters,  
Worden,  
Speaker, 45

NAYS:

Mr. Bristol,

Mr. Chittenden,

2

Mr. Craven moved that the following named House bills be taken from the general order and place the same on the order of third reading of bills :

No. 31. Relative to the appropriation of certain highway taxes in Saginaw county. to the improvement of a State road therein.

No. 45. Relative to laying out a road in Gratiot county.

No. 55. A bill amendatory of act No. 156 of the session laws of 1851, defining the powers of the boards of supervisors.

Agreed to.

On motion of Mr. Chittenden,

*Resolved*, That all persons that have petitioned for and remonstrated against the passage of a general railroad law, have leave to withdraw their respective papers.

Mr. Chittenden introduced the following joint resolution, which was read a first and second time, ordered to be read the third time under a suspension of the rules, and was adopted:

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the two Houses will meet in joint convention, in the Hall of the House, on Friday the 11th inst., at 12 o'clock M., to receive such nominations from the Governor as he may choose to make.

Mr. Ingalls moved that House bill No. 78, appropriating certain highway taxes upon certain roads in Ionia and Eaton counties, be taken from the general order, and placed on file for a third reading.

Agreed to.

Mr. Ely moved that the committee of the whole be discharged from the further consideration of House bill No. 53, to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof, and that the bill be put upon its third reading.

Agreed to.

Mr. Gregory, pursuant to notice, asked and obtained leave to introduce

A bill to amend chapter 58 of the revised statutes of 1846.

Read a first and second time and referred to the committee on education.

### THIRD READING OF BILLS.

The following bills were read the third time and passed, to-wit:

A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes, by the following vote:

#### YEAS:

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. P. Gleason,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
C. L. Miller,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

53

#### NAYS:

Mr. Root,

1

A bill to authorize the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties, by the following vote:

#### YEAS.

Mr. Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,

Mr. Haight,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
Lovell,  
McDougall,

Mr. Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,

Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. P. Gleason,  
Goff,  
Gregory,

McWhorter,  
Matthews,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,

Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker,

55

NAYS.

0

A bill to provide for the incorporation of institutions of learning, as follows :

YEAS :

Mr. Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Haight,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
Palmer,

Mr. Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Winters,  
Worden,  
Speaker

56

NAYS :

Mr. Chittenden,

1

And on motion of Mr. Winters,

The same was ordered to take immediate effect by the constitutional vote.

A bill to amend section 22 of chapter 58 of the revised statutes of 1846, as follows:

YEAS :

Mr. Adams,  
Arnold,

Mr. Gregory,  
Green,

Mr. Parkhurst,  
Poppleton,



|                  |            |             |
|------------------|------------|-------------|
| Bailey,          | Griswold,  | Ransom,     |
| Bates,           | Haight,    | Renwick,    |
| Benedict,        | Hand,      | Richardson, |
| Bristol,         | Haze,      | Rider,      |
| Bonine,          | Ingalls,   | Root,       |
| Burt,            | Irwin,     | Sheldon,    |
| Canfield,        | Jennison,  | Shoemaker,  |
| Chapel,          | Lathrop,   | Smith,      |
| Craven,          | Lovell,    | Strang,     |
| Davis,           | McDougall, | Sutherland, |
| Ewing,           | McWhorter, | Traver,     |
| Fitch,           | Matthews,  | Warner,     |
| Fitzsimmons,     | H. Miller, | Winters,    |
| Frey,            | Mitchell,  | Worden,     |
| John P. Gleason, | Murphy,    | Speaker,    |
| Goff,            | Norton,    |             |

57

## NAYS:

Mr. Chittenden,      Mr. Jones,      Mr. C. L. Miller,      3

And on motion of Mr. Ellsworth,

The same was ordered to take immediate effect, by a vote of two-thirds of all the members elected.

A bill conferring additional powers upon judges of probate, and providing for the administration of decased persons,

By the following vote:

## YEAS:

|                |               |                |
|----------------|---------------|----------------|
| Mr. Adams,     | Mr. Haight,   | Mr. Parkhurst, |
| Arnold,        | Hand,         | Poppleton,     |
| Bates,         | Haze,         | Ransom,        |
| Benedict,      | Ingalls,      | Reno,          |
| Bristol,       | Irwin,        | Renwick,       |
| Bonine,        | Jennison,     | Richardson,    |
| Burt,          | Jones,        | Rider,         |
| Canfield,      | Lathrop,      | Root,          |
| Chapel,        | Lovell,       | Seymour,       |
| Craven,        | McDougall,    | Shoemaker,     |
| Ellsworth,     | McWhorter,    | Smith,         |
| Fitch,         | Matthews,     | Strang,        |
| Fitzsimmons,   | H. Miller,    | Sutherland,    |
| Frey,          | C. L. Miller, | Thompson,      |
| J. P. Gleason, | Mitchell,     | Traver,        |
| Goff,          | Morton,       | Warner,        |
| Gregory,       | Murphy,       | Winters,       |
| Green,         | Norton,       | Worden,        |
| Griswold,      | O'Callaghan,  | Speaker,       |

57

## NAYS:

0

On motion of Mr. Ellsworth,

Ordered by a two-thirds vote of all the members elected that the same take immediate effect..

A bill to set off from the county of Kent, townships numbered 9 and 10 north, of range 9 west, and annex the same to the county of Montcalm, as follows:

## YEAS:

|             |                  |              |
|-------------|------------------|--------------|
| Mr. Adams,  | Mr. Fitzsimmons, | Mr. Marsh,   |
| Bailey,     | Gale,            | H. Miller,   |
| Bates,      | James Gleason,   | O'Callaghan, |
| Benedict,   | Goff,            | Poppleton,   |
| Bristol,    | Gregory,         | Ransom,      |
| Bonine,     | Green,           | Renwick,     |
| Burt,       | Haight,          | Richardson,  |
| Canfield,   | Haze,            | Seymour,     |
| Chittenden, | Ingalls,         | Sherman,     |
| Craven,     | Jones,           | Strang.      |
| Ellsworth,  | Lathrop,         | Sutherland,  |
| Ewing,      | McDougall,       | Warner,      |
| Fitch,      | McWhorter,       | Speaker, 39  |

## NAYS:

|                |             |              |
|----------------|-------------|--------------|
| Mr. Arnold,    | Mr. Lovell, | Mr. Sheldon, |
| Davis,         | Morton,     | Shoemaker,   |
| Frey,          | Murphy,     | Smith,       |
| J. P. Gleason, | Parkhurst,  | Thompson,    |
| Hand,          | Rider,      | Traver,      |
| Jennison,      | Root,       | Winters, 18  |

Mr. Fitch gave notice of his intention on to-morrow, to move a reconsideration of the last vote.

A bill to amend sections 25, 27, 39 and 40, of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851, by the following vote:

## YEAS:

|            |           |             |
|------------|-----------|-------------|
| Mr. Adams, | Mr. Goff, | Mr. Morton, |
| Arnold,    | Gregory,  | Murphy,     |
| Bailey,    | Green,    | Norton,     |
| Bates,     | Griswold, | Palmer,     |
| Benedict,  | Haight,   | Parkhurst,  |
| Bristol,   | Hand,     | Poppleton,  |
| Bonine,    | Haze,     | Ransom,     |
| Canfield,  | Ingalls,  | Renwick,    |
| Chapel,    | Irwin,    | Richardson, |
| Craven,    | Jennison, | Root,       |
| Davis,     | Jones,    | Sheldon,    |

Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. P. Gleason,

Lathrop,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,

Smith,  
Thompson,  
Toll,  
Traver,  
Winters,  
Worden,  
Speaker,

55

## NAYS:

Mr. Strang,

1

When Mr. Ransom moved a reconsideration of the last vote.

Agreed to.

Unanimous consent of the House was then given to amend the bill by striking out the words " provided that no such company shall be required to pay such tax for any year in which their net profits shall be less than 4 per cent," in section 18 thereof.

The bill was then passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. John P. Gleason, Mr. Parkhurst,  
Goff,  
Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
H. Miller,  
Mitchell,  
Norton,

Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Thompson,  
Toll,  
Traver,  
Winters,  
Worden,  
Speaker,

49

## NAYS:

Mr. Chittenden,  
Gale,

Mr. C. L. Miller,  
Smith,

Mr. Strang,

5

On motion of Mr. Norton.

The House adjourned.

*Lansing, February 10, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The journal was corrected and approved.

PETITIONS.

Mr. Root presented the petition of S. W. Gibbs and 144 others relative to a bill to amend an act entitled an act to incorporate the village of Jackson.

Referred to the committee on banks and incorporations.

Mr. C. L. Miller: of R. W. Russell and 34 others, and of Deliverance Tyler and 31 others of St. Joseph county, praying for passage of Maine Law.

Laid on the table.

REPORTS OF COMMITTEES.

Mr. Worden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred Senate bill number 74,

A bill to amend the laws relative to supplying the city of Detroit with water, and to provide for the completion and management of the Detroit water works.

Have had the same under consideration, and have directed me as their chairman to report the same back to the House, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

Mr. O'Callaghan moved that the bill be indefinitely postponed.

Lost.

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ransom, from the committee on judiciary, submitted the following report:

The committee on judiciary, to whom was referred

A bill to amend the revised statutes of 1846, concerning the disturbing of religious meetings,

Have considered the same and now report the same back to the House and recommend its passage.

They have also had under consideration Senate bill number 7, to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Which they report back to the House without amendment.

They have also had under consideration,

A bill relating to evidence in actions where the title to land is brought in question,

Which they report to the House, and respectfully recommend its passage.

They have also had under consideration

A bill to prescribe the form of a deed of real estate; and

A bill to extend the judicial organization of the State,

Which they report back to the House without action, and ask to be discharged.

The report was accepted and the committee discharged.

The two bills last named were ordered laid on the table.

The two first named were referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred

A bill to amend the Pontiac and Genesee Railroad Company,

Reported the same back to the House, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Mitchell, from the committee on education, submitted the following report:

The committee on education, to whom was referred

Senate bill to authorize certain State officers to convey certain land to the First Universalist, and the First Wesleyan Methodist Church and Society, in Lansing,

Have had the same under consideration, report it back with amendments, in which they respectfully ask the concurrence of the House, recommend the passage of the bill, and ask to be discharged.

Also,

A bill to amend chapter 53 of the revised statutes of 1846, and respectfully recommend its passage and ask to be discharged.

The report was accepted, the committee discharged, the bills referred to committee of the whole and placed on the general order.

Mr. Davis, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers; also

A bill to amend an act entitled an act to incorporate the village of Romeo,

Recommend their passage and ask to be discharged from their further consideration.

The report was accepted, the committee discharged, the bills reverally referred to committee of the whole and placed on the general order.

Mr. Morton, from the committee of ways and means submitted the following report:

The committee of ways and means, to whom was referred a joint resolution relative to a certain State tax, claimed to be due from the county of Washtenaw, have considered the same, and report that no provisions of law were made for raising a State tax in 1847, and in consequence of which, several counties neglected to raise such tax for that year. Most of the counties, however, at the suggestion of the Auditor General, collected and paid the tax, and all which failed to do so at the time, with the exception of the county of Washtenaw, have since, in pursuance of an act of June 23th, 1851, paid to the State the tax due for 1847; but the county of Washtenaw, up to this time, has refused to pay the tax of that year, unless the interest due on the same is credited to the county by the State, and the resolution under consideration is to require the Auditor General to give the county such credit. The committee instruct me to report the joint resolution back to the House, recommend that it do not pass, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the joint resolution referred to committee of the whole and placed on the general order.

Mr. H. Miller, from the committee of ways and means, to whom was referred

Joint resolution for the relief of Hiram R. Andrews,

Reported the same back to the House, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, the joint resolution referred to the committee of the whole, and placed on the general order.

Mr. H. Miller, from the committee of ways and means, submitted the following report :

The committee of ways and means, to whom was referred a bill to enable the inhabitants of the town of Decatur in the county of Van Buren, to raise a certain sum of money, have had the same under consideration, report the same back to the House, recommend its passage, and ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend section 32, of an act to incorporate the city of Adrian, approved Jan. 31, 1853. Also,

An act to discontinue a certain road in the town of Martin, in the county of Allegan, and a joint resolution relative to lot No. 1, Block 95, for the First Baptist Church in Lansing.

Mr. Poppleton, from the select committee on the petitions relative to the pardon of the Central railroad conspirators now in State Prison at Jackson, submitted a report in writing, accompanied by a resolution recommending to the Governor their pardon.

The report and resolution were read.

The report was accepted and the committee discharged.

Mr. Sherman moved that report and resolution be adopted, and five hundred copies ordered printed for the use of the House.

Agreed to by the following vote :

## YEAS:

Mr. Bates,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
J. Gleason,  
J. P. Gleason,

Mr. Griswold,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Reno,  
Rider,  
Root,  
Sherman,  
Sheldon,  
Strang,  
Traver,  
Warner,  
Worden,  
Speaker, 39

## NAYS:

Mr. Adams,  
Benedict,  
Bristol,  
Craven,  
Ellsworth,  
Frey,  
Gale,  
Gregory,

Mr. Green,  
Haight,  
Jones,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,

Mr. Ransom,  
Renwick,  
Seymour,  
Smith,  
Thompson,  
Toll,  
Winters, 23

Pending the call of the roll,

Mr. Ellsworth asked to be excused from voting on the question, but the House refused to excuse him.

Mr. Ellsworth then voted in the negative.

Mr. Chittenden moved a reconsideration of the last vote.

Agreed to.

Mr. Ewing then asked that his name be stricken out of the record on the last vote, as having been a witness on the trial of said prisoners; he wished to be excused from voting.

Agreed to, and he was so excused; and after considerable debate, On motion of Mr. Mitchell,

The whole subject was ordered laid on the table, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,

Mr. Griswold,  
Haight,  
Irwin,  
Jennison,  
Jones,

Mr. Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,



Bristol,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ewing,  
Frey,  
Gregory,  
Green,

Lathrop,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Norton,  
O'Callaghan,  
Palmer,

Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Warner,  
Winters,  
Speaker,

46

## NAYS:

Mr. Chapel,  
Chittenden,  
Ely,  
Fitch,  
Fitzsimmons,  
Gale,  
J. Gleason,

Mr. J. P. Gleason,  
Goff,  
Hand,  
Haze,  
Ingalls,  
McDougall,  
McWhorter,

Mr. Murphy,  
Parkhurst,  
Poppleton,  
Sherman,  
Traver,  
Worden,

20

Mr. Ellsworth, from the committee on towns and counties, submitted the following report:

The committee on towns and counties, have had under consideration,

A bill to organize the county of Delta, in the Upper Peninsula,

And now report the same back to the House, and respectfully recommend its passage.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Norton, from the committee of conference, on the disagreement of the two Houses on the bill to prevent the wilful and malicious destruction of fruit, shade or ornamental trees, submitted the following report:

The committee of conference, on the disagreement of the two Houses, on a bill to prevent the wilful and malicious destruction of ornamental, shade and fruit trees, respectfully report that they recommend that the House concur in the Senate amendment, and respectfully ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the Senate substitute for said bill concurred in, in accordance with the recommendation of the committee, and the substitute ordered enrolled.

## MESSAGES.

The following message was announced from the Governor:

EXECUTIVE OFFICE,  
Lansing, Feb. 9, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend sections 3, 9, 18, 19 and 20, of an act entitled an act relative to plank roads, approved March 13, 1848, and to add six new sections thereto, to stand as sections 25, 26, 27, 28, 29 and 30;

An act to provide for taking the census and statistics of this State;

An act to amend sections thirteen and eighteen of an act entitled an act to incorporate the village of Hillsdale;

An act relative to surplus funds in the State Treasury;

An act to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw;

Joint resolution relative to the Chippewa Indians of Lake Superior.

R. McCLELLAND.

And the following message from the Senate :

SENATE CHAMBER,  
Lansing, February 9, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

1. A bill to amend section 2 of chapter 103 of the revised statutes of 1846, relative to trial of issues of fact;

2. A bill relating to what evidence may be given in actions for the recovery of lands, tenements, or real estate;

3. A bill to amend sections 54, 55, 58, 59 and 60, of the revised statutes of 1846, relative to proceedings in justices' courts;

Which the Senate have passed by a majority vote of all the Senators elect, and have ordered the last named to take immediate effect, by a vote of two-thirds of all the Senators elect and in which bills the concurrence of the House is respectfully asked: also,

Herewith is returned,

A bill to provide for the publication of probate and other legal notices;

Which the Senate have passed by a vote of a majority of all the Senators elect.

Very respectfully, &c.,

O. W. MOORE;

*Sec. Senate.*

The first named bill was ordered enrolled.

The 2d, 3d, and 4th, severally twice read and referred to the judiciary committee.

Also, the following:

SENATE CHAMBER,  
*Lansing, February 9, 1859.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

1 A bill to amend an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect; also,

2. A bill to amend sections seventeen and eighteen, of chapter one hundred and three, of the revised statutes of 1846;

Which the Senate have passed by a majority vote of all the Senators elect and by a vote of two-thirds of all the Senators elect ordered that the same take immediate effect; also,

3. A bill supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851; and to repeal an act supplementary to said act, approved June 27, 1851;

Which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, ordered that the same take immediate effect; also,

4. A bill relative to indictments.

5. A bill to amend section one of an act entitled an act to amend chapter 25 of the revised statutes of 1846;

Which the Senate have passed by a majority vote of all the Senators elect; also,

6. Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which bills the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bills were severally twice read and referred as follows :

The first to the committee on banks and incorporations.

The 2d, 3d, 4th and 5th, to the judiciary committee.

The 6th having been twice read,

Mr. Seymour moved that the rules be suspended and the same placed on the order of the third reading of bills.

Agreed to.

Mr. Ransom moved a reconsideration of the vote of yesterday on the resolution granting the use of the Hall this evening for a lecture on Phonetics.

Agreed to.

On motion of Mr. Seymour,

The resolution was then ordered laid on the table.

Mr. Morton moved to reconsider the vote of yesterday, by which the House rejected House bill 65 in relation to authorizing Saginaw county to loan its bonds.

Agreed to.

Mr. Sutherland moved to refer the bill to the judiciary committee with instructions to report the following in lieu of section 1, viz :

Sec. 1. The people of the State of Michigan enact : That the board of Supervisors of the county of Saginaw, at their next meeting after the passage of this act, shall submit to the voters of said county the question whether said county shall loan its bonds under the provisions of this act, and said board shall prescribe the mode of making such submission, and also the manner of ascertaining the result of such vote : and if a majority of the voters of said county voting on said question, shall vote in favor of such loan, said board shall at the first meeting thereafter, or at any other meeting thereof, issue the bonds of said county under the regulations contained in this act, to aid the Saginaw and Bad River Plank Road Company, in the construction of a plank road.

Strike out of line 4, in section 6, the word 'board' and insert 'voters' and that said committee report forthwith.

Agreed to.

And the bill was so referred.

Mr. Mitchell, from the judiciary committee, soon after reported back said bill with the amendments, directed by the instructions, and asked that the committee be discharged from their further consideration.

The report was accepted and the committee discharged, and the amendments were concurred in.

The question then being on the final passage of the bill as amended, after some debate,

Mr. Ewing moved the previous question, which was demanded and the main question ordered to be now put.

The main question being the final passage of the bill, the same was passed by the following vote :

**YEAS:**

Mr. Adams,  
Arnold,  
Biley,  
Bates,  
Bristol,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,

Mr. Gregory,  
Green,  
Griswold,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Mathews,  
H. Miller,  
Mitchell,  
Morton,

Mr. O'Callaghan  
Parkhurst,  
Popperton,  
Richardson,  
Rider,  
Sherman,  
Sheldon,  
Shoemaker,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Speaker,

41

**NAYS:**

Mr. Benedict,  
Chapel,  
Ely,  
Ewing,  
Gale,

Mr. J. P. Gleason,  
Goff,  
C. L. Miller,  
Norton,

Mr. Renwick,  
Seymour,  
Smith,  
Thompson,

13

The Speaker having decided that only a majority vote was necessary to pass said bill,

Mr. Seymour appealed from the decision.

The question was put, "shall the decision of the chair stand as the judgment of the House?" and the decision was sustained.

Mr. Morton, asked and obtained unanimous consent to introduce

A bill to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851,

Which was read a first and second time, when,

On motion of Mr. Morton,

The rule was suspended to put the bill upon its final passage.

The bill was then read a third time and passed, by the following vote:

#### YEAS.

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,

Mr. Fitch,  
Fitzsimmons,  
Frey,  
Green,  
Griswold,  
Hend,  
Ingalls,  
Jennison,  
Luhrop,  
McDougall,  
Marsh,  
H. Miller,  
Morton,  
O'Callaghan,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Sutherland,  
Toll,  
Speaker,

38

#### NAYS.

Mr. Bonine,  
Davis,  
Ewing,  
Gale,  
J. P. G'eeason,  
Goff,  
Gregory,

Mr. Haight,  
Haze,  
Irwin,  
Jones,  
Matthews,  
C. L. Miller,  
Murphy,

Mr. Sherman,  
Smith,  
Strang,  
Thompson,  
Traver,  
Warner,

20

Mr. Ellsworth moved that the bill last passed take immediate effect.

Lost.

Mr. Seymour moved that the bill for the construction of public offices at the seat of government at Lansing, be taken from the order of its third reading and recommitted to the committee on State affairs.

Lost.

Mr. Ewing moved that the House joint resolution relative to mechanical trades in State Prison, be taken from the general order and placed on the order for third reading.

Mr. Ransom moved to amend by adding, also all bills on the general order be put on the order of their third reading.

Pending the question on which, the motion of Mr. Ewing was withdrawn.

Mr. Mitchell asked the unanimous consent of the House to introduce a bill.

Objection being made, Mr. Mitchell gave notice that he would ask leave on to morrow to introduce said bill.

#### THIRD READING OF BILLS.

A bill for the construction of public offices at the seat of government at Lansing, was taken up for a third reading, when

Mr. Mitchell moved a call of the House.

Call ordered.

The roll was called, and all the members answered to their names excepting those excused on account of sickness, and Messrs. Lovell, Winters and Worden.

Messrs. Winters and Worden had leave of absence on account of sickness.

On motion of Mr. Parkhurst,

All further proceedings under the call were then dispensed with.

The bill was then read a third time and passed by the following vote:

#### YEAS :

Mr. Adams,  
Arnold,  
Hates,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. Griswold,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
Mr. Dougall,  
McWhorter,  
Marsh,  
Mathews,  
Mitchell,  
Morton,  
Murphy,

Mr. Poppleton,  
Ransom,  
Reno,  
Root,  
Seymour,  
Sherman,  
Shumaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Winters,

J. P. Gleason,  
Gregory,

Parkhurst,

Speaker,

46

**NAYS:**

Mr. Chittenden,  
Gale,  
Goff,  
Green,

Mr. Haight,  
O'Callaghan,  
Renwick,

Mr. Rider,  
Sheldon,  
Thompson,

10

On motion of Mr. Fitch,

The same was ordered to take immediate effect by the constitutional majority.

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof, was read a third time and passed as follows:

**YEAS:**

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
F. wing,  
Fitch,  
Fitz-immons,  
Frey,  
Gale,  
J. P. Gleason,  
Gregory,

Mr. Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

58

**NAYS:**

0

Also, a bill to amend section 8 of an act to incorporate the Port Huron and Lake Michigan Railroad Company, by the following vote:

**YEAS:**

Mr. Adams,  
Arnold,  
Bates,  
Benedict,

Mr. Gregory,  
Griswold,  
Hand,  
Haze,

Mr. Palmer,  
Parkhurst,  
Poppleton,  
Ransom,



Bonine,  
Burt.  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely.  
Ewing,  
Fitch,  
Fitzsimmons,  
J. Gleason,  
J. P. Gleason,  
Goff,

Ingalls,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Morton,  
Murphy,  
Norton,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,

Reno,  
Kenwick,  
Richardson,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Siring,  
Sutherland,  
Toll.  
Traver,  
Warden,  
Speaker,

51

## NAYS:

Mr. Bailey,  
Bristol,  
Chapel,  
Chittenden,

Mr. Frey,  
Green,  
Haight,

Mr. C. L. Miller,  
Rider,  
Thompson,

10

On motion of Mr. Mitchell,

The same was ordered to take immediate effect by the constitutional majority.

Also a bill appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia, by the following vote:

## YEAS:

Mr. Adams,  
Bailey,  
Bates,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Goff,  
Gregory,  
Green,

Mr. Griswold,  
Haze,  
Ingalls,  
Jennison,  
Jones,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
Palmer,

Mr. Parkhurst,  
Ransom,  
Reno,  
Kenwick,  
Richardson,  
Rider,  
Seymour,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Warden,  
Speaker,

43

## NAYS:

Mr. Arnold,  
Davis,  
Ewing,  
Frey,

Mr. Haight,  
Hand,  
O. L. Miller,  
Sherman,

Mr. Sheldon,  
Shoemaker,  
Smith,

11

On motion of Mr. Poppleton,  
The House adjourned.

*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

PETITIONS.

Mr. Poppleton presented the petitions of 1,104 citizens of Maccomb, St. Clair, Jackson and other counties, praying for the passage of the Maine law.

Laid on the table.

REPORTS.

Mr. Bunsom, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred Senate bill No 38, to amend sections 17 and 18 of chapter 103 of the revised statutes of 1846, and

Senate bill No. 32, to amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846, and

Senate bill No. 86, relative to indictments,

Have had the same under consideration, and now beg leave to report the same back to the House, recommend their passage, and ask to be discharged.

The report was accepted, the committee discharged, and the bills severally referred to the committee of the whole and placed on the general order; and

Mr. Kilgworth, from the same committee, the following:

The committee on the judiciary, to whom was referred the following Senate bills, to wit:

A bill supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved June 8, 1851, and to repeal an act supplementary to said act, approved June 27, 1851; and

A bill to amend section 4 of chapter 103 of the revised statutes of 1846, relative to the trial of issues of fact,

Have had the same under consideration, and now report the same back to the House, and respectfully recommend the passage of the same and ask to be discharged.

The report was accepted, the committee discharged, and said bills severally referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred Senate bill entitled

A bill to amend an act entitled an act to incorporate the Detroit River Sectional Floating Dock, Dry Dock, and the Marine Railway Company, approved March 17, 1847,

Have had the same under consideration, and have instructed me to report the same back to the House, recommending its passage, and ask to be discharged from the further consideration of the same.

The report was accepted and the committee discharged, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on public lands, reported

A bill to provide for draining swamp lands in the county of Kalamazoo,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read twice, referred to the committee of the whole and placed on the general order.

#### MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 10, 1853 }

To the Senate and House of Representatives:

My attention has been particularly directed to an act recently passed, relating to the creation of corporations for mining purposes, &c. Some of its features are objectionable, and are worthy of your immediate consideration. Companies can be formed under it for manufacturing purposes, without any restrictions or limitations of

importance. Few of the ordinary guards are thrown around the law. I see no reasonable objection to the provisions relative to mining, &c., but the propriety of the power to form companies for manufacturing purposes, without any individual liability, or any of the ordinary restrictions, is very questionable. The State may be covered with them, and great danger is apprehended from it. The tax fixed by the act is comparatively small, and such distinction between companies and individuals cannot be approved. The measure, in my judgment, will have the effect of crippling individual enterprise. As this is the last day that bills can be introduced into either House, without unanimous consent, I urgently recommend the subject to your attention, and respectfully suggest the propriety of confining the act to corporations connected with mining, &c., in which the people of the Upper Peninsula are interested.

R. McCLELLAND.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. McWhorter,

A bill to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848 ;

Was taken from the general order and referred to the committee on banks and incorporations.

On motion of Mr. Gregory,

*Resolved*, That House bill No. 33, entitled a bill prohibiting the manufacture of intoxicating beverages, and the traffic therein, be ordered to take immediate effect.

Mr. Sherman from committee on mines and minerals, asked unanimous consent to introduce

A bill to provide for the payment of specific taxes, to counties in the Upper Peninsula.

Mr. Chittenden objected.

Mr. Morton moved that the rules be suspended, to permit the committee on mines and minerals to introduce said bill.

Agreed to.

The bill was read a first and second time, referred to committee of the whole, and placed on the general order.

On motion of Mr. Frey,

*Resolved*, That House bill No. 85, be taken from the general order and put on its final passage.

The bill entitled a bill to provide for the re-survey of the public highways in the township of White Pigeon, in the county of St. Joseph,

Was read a third time and passed by the following vote :

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gile,  
J. Gleason,  
Goff,  
Gregory,

Mr. Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
H. Miller,  
Morton,  
Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Renwick,  
Richardson,  
Ruler,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Speaker,

53

## NAYS:

Mr. Chittenden;

1

Mr. Goff, from the committee on State prison, asked the unanimous consent of the House to introduce

A joint resolution directing the Inspectors of the State prison to furnish the House occupied by the prison Agent.

The joint resolution was laid over one day, under the rule.

Mr. Gregory moved that the bill amending chapter 58 of the revised statutes, introduced on the 9th inst., be put upon its third reading.

Mr. Sherman moved to amend by adding, "and that all bills on the general order be put upon the order of their third reading;" which prevailed.

The question then being on the motion as amended,

Mr. Ransom moved that it be laid on the table.

Agreed to.

Mr. Ewing asked and obtained unanimous consent to introduce  
A bill relating to telegraph operators; which was read a first and  
second time and referred to committee on State affairs.

Mr. Goff, from the committee on State prison, moved that the  
rules be suspended, to permit said committee to introduce a bill.

Lost.

Mr. Gregory offered the following resolution:

*Resolved*, That the joint resolution relative to license, laid on the  
table on the 8th inst., be now taken therefrom.

Lost.

Mr. Strang, pursuant to notice, asked and obtained leave to intro-  
duce

A bill to attach certain unorganized counties to other counties,  
which are organized; and

A bill to change the names of certain townships in the county of  
Newaygo,

Which were severally read a first and second time and referred  
to the committee on the organization of towns and counties.

#### THIRD READING OF BILLS.

A bill for the compensation of judges of probate, was taken up  
for a third reading, was so read and passed, by the following vote:

#### YEAS:

Mr. Adams,  
Arnold,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
E y.  
Fussimmons,  
Fry,  
Gale,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Haight,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Marsh,  
Matthews,  
C. L. Miller,  
Murphy,

Mr. Poppleton,  
Ransom,  
Richardson,  
Rider,  
Seymour,  
Sheldon,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,

38

#### NAYS:

Mr. Chittenden,  
Ewing,  
Fitch,  
Jones,  
Lovell,

Mr. McDougall,  
H Miller,  
Morton,  
Norton,  
Parkhurst,

Mr. Renwick,  
Root,  
Sherman,  
Speaker,

14

Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing,

Was taken up for a third reading, was so read and passed. Also,

A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace, which was passed by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chape,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Fry,  
Gregory,  
Griswold,

Mr. Haight,  
Hend,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
Mathews,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Richardson,  
Rider,  
Root,  
Seymour,  
Telden,  
Shoemaker,  
Smith,  
Strong,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

59

## NAYS:

Mr. Gale,  
Goff,

Mr. C. L. Miller,  
Renwick,

Mr. Sherman,

6

## UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up

A bill to amend an act to incorporate the President, Directors and Company of the Farmers' and Merchants' Bank of Ann Arbor.

The pending question thereon, being on the following amendment offered by Mr. Ransom, to wit:

By striking out the word "six," in line 1, section 1, and inserting the word "thirteen," in lieu thereof.

Also, strike out the whole of section 1, after the third line thereof; the whole of section 2; the whole of section 3; the whole of section 6; and the whole of section 7.

Pending which,

Mr. Fitch offered the following amendment:

Section 2, lines 11 and 12, by striking out, "unless he shall be satisfied that there is a good and legal defence."

Adopted.

Mr. Strang offered the following:

Strike out of section 6, lines 2 and 3, the words "Virginia, Kentucky, Tennessee and Missouri."

Lost.

Mr. Chittenden then offered the following:

Section 1, line 16, strike out "thirty," and insert "fifteen," in place thereof.

Lost.

Mr. Burt moved to strike out "days," in line 10, section 2, and insert "hours."

Lost.

Mr. Fitch then offered the following amendment:

Section 3, line 19, strike out "village," and insert "city;" also, line 20, same section, strike out "the State paper," and insert "a paper printed at Lansing, if one be there printed."

Agreed to.

Mr. Fitch then moved to strike out "Virginia," in line 3, section six.

Agreed to.

The question then recurring on the motion of Mr. Ransom, the same was rejected, by the following vote:

YEAS:

Mr. Bailey,  
Benedict,  
Burt,  
Chittenden,  
Craven,  
Fitzsimmons,

Mr. Lovell,  
O'Callaghan,  
Poppleton,  
Ransom,  
Reno,  
Sheldon,

Mr. Smith,  
Strang,  
Toll,  
Traver,  
Worden,

17

NAYS:

Mr. Adams,  
Arnold,  
Bates,  
Bristol,  
Bonine,  
Chapel,  
Davis,  
Ellsworth,

Mr. James Gleason,  
John P. Gleason,  
Gregory,  
Haight,  
Hud,  
Hze,  
Ingalls,  
Irwin,

Mr. Morton,  
Parkhurst,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,



Ely,  
Ewing,  
Fitch,  
Fry,  
Gale,

Jones,  
Lathrop,  
McDougall,  
H. Miller,  
C. L. Miller,

Sutherland,  
Thompson,  
Warner,  
Speaker,

38

The bill was then ordered to be engrossed and read the third time.

A joint resolution relative to the assessment of certain property in the cities of Detroit and Monroe, was read the third time and passed by the following vote:

Y. N.

## YEAS:

Mr. Adams,

Mr. Arnold,

Bailey,

Bates,

Benedict,

Bristol,

Canfield,

Chapel,

Chittenden,

Craven,

Davis,

Ely,

Ewing,

Fitch,

Fitzsimmons,

Fry,

James Gleason,

Mr. J. P. Gleason,

Griswold,

Haight,

Hand,

Haze,

Ingalls,

Irwin,

Jennison,

Jones,

Lathrop,

Lovell,

McDougall,

McWhorter,

C. L. Miller,

Mitchell,

Morton,

Palmer,

Mr. Parkhurst,

Poppleton,

Ransom,

Reno,

Root,

Seymour,

Sherman,

Sheldon,

Shoemaker,

Smith,

Strang,

Sutherland,

Toll,

Traver,

Warner,

Worden,

Speaker,

51

## NAYS:

Mr. Burt,

Ellsworth,

Mr. Gale,

Gregory,

Mr. Rider,

5

Mr. Mitchell moved a suspension of the rules, in order to introduce

A bill to amend an act relative to mining corporations, &c.

After some discussion,

On motion of Mr. Ransom,

The motion was ordered laid on the table.

Mr. Mitchell moved a suspension of the rules, in order to introduce

A bill relative to the University of Michigan.

Agreed to.

Read a first and second time, ordered to be read the third time, was so read, when,

On motion of Mr. Chittenden,

The same was laid on the table.

Mr. Goff moved that the House adjourn.

Lost.

The House then went into committee of the whole on the general order,

Mr. Chittenden in the chair.

After spending some time thereon, the committee rose and through their chairman, reported back to the House

A bill to amend sections 11, 14 and 21, of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, with sundry amendments thereto, asked the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the amendments concurred in, when,

On motion of Mr. Ransom,

The House adjourned.

---

*Lansing, February 11, 1889.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Dayfoot.

The roll called; a quorum present.

The journal of yesterday was corrected and approved.

#### REPORTS.

Mr. Ellsworth, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties to whom was referred a bill to change the names of certain townships in the county of Newaygo, and a bill to attach certain unorganized counties to other counties, which are organized, have had the same under consideration, and see no reason why said bills should not pass. They should therefore report the same back to the House, and respectfully recommend their passage, and ask to be discharged from the further consideration thereof.

The report was accepted the committee discharged, and the bills referred to committee of the whole and placed on the general order.

Mr. Worden, from the committee on banks and incorporations, submitted the following report :

The committee on banks and incorporations to whom was re-committed House bill No. 81, to amend an act entitled an act to incorporate the village of Jackson, have had the same under consideration, and report the same back to the House and recommend its passage.

The report was accepted, the committee discharged, when

Mr. Parkhurst moved to suspend the rules, in order to put the same on its final passage.

Agreed to.

The bill was then read the third time, and passed by the following vote :

#### YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
J. Gleason,  
John P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,

Mr. Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Shelden,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Traver,  
Speaker,

58

#### NAYS:

0

Mr. Burt asked unanimous consent to take from the general order, and put upon its final passage,

A bill to amend act No. 90, session laws of 1851, entitled an act to incorporate the village of Mt. Clemens.

Objected to.

Mr. Chittenden moved that the committee of the whole be discharged from the consideration of said bill, and that the rules be suspended to put the same upon its final passage.

Agreed to.

The bill was then ordered read a third time, was so read and passed by the following vote:

YEAS:

|              |                    |              |
|--------------|--------------------|--------------|
| Mr. Adams,   | Mr. J. P. Gleason, | Mr. Murphy,  |
| Arnold,      | Gregory,           | Norton,      |
| Bailey,      | Green,             | O'Callaghan, |
| Bates,       | Griswold,          | Palmer,      |
| Benedict,    | Haight,            | Parkhurst,   |
| Bristol,     | Hand,              | Poppleton,   |
| Burt,        | Haze,              | Ransom,      |
| Canfield,    | Irwin,             | Renwick,     |
| Chapel,      | Jennison,          | Richardson,  |
| Chittenden,  | Jones,             | Rider,       |
| Craven,      | McDougall,         | Seymour,     |
| Davis,       | McWhorter,         | Sherman,     |
| Ellsworth,   | Marsh,             | Sheldon,     |
| Ely,         | Matthews,          | Strang,      |
| Ewing,       | H. Miller,         | Thompson,    |
| Fitch,       | C. L. Miller,      | Traver,      |
| Fitzsimmons, | Mitchell,          | Warner,      |
| Frey,        | Morton,            | Speaker,     |
| Gale,        |                    |              |

55

NAYS:

0

On motion of Mr. Burt,

The same was ordered by a two-thirds vote of all the members elect, to take immediate effect.

Mr. Goff, from the committee on State affairs, made the following report:

The committee on State affairs, to whom was referred the bill relating to telegraph operators and others, have had the same under consideration, and report the same back without amendment, and recommend its passage and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

On motion of Mr. Ewing,

The rules were suspended to put the bill upon its final passage.

The bill was then read a third time and passed by the following vote:

## YEAS:

|              |                  |             |    |
|--------------|------------------|-------------|----|
| Mr. Adams,   | Mr. Gale,        | Mr. Morton, |    |
| Arnold,      | J. Gleason,      | Parkhurst,  |    |
| Bailey,      | John P. Gleason, | Poppleton,  |    |
| Bates,       | Goff,            | Ransom,     |    |
| Benedict,    | Gregory,         | Reno,       |    |
| Bristol,     | Green,           | Renwick,    |    |
| Burt,        | Griswold,        | Richardson, |    |
| Canfield,    | Haight,          | Rider,      |    |
| Chapel,      | Haze,            | Seymour,    |    |
| Chittenden,  | Irwin,           | Sheldon,    |    |
| Craven,      | Jennison,        | Shoemaker,  |    |
| Davis,       | Jones,           | Smith,      |    |
| Ellsworth,   | Lovell,          | Strang,     |    |
| Ely,         | McDougall,       | Sutherland, |    |
| Ewing,       | McWhorter,       | Thompson,   |    |
| Fitch,       | H. Miller,       | Traver,     |    |
| Fitzsimmons, | C. L. Miller,    | Warner,     |    |
| Frey,        | Mitchell,        | Speaker,    | 54 |

## NAYS:

0

Mr. Sutherland, from the committee on judiciary, reported the following :

The committee on judiciary to whom was referred,

Senate bill to provide for discharging the record of certain mortgages executed under the act entitled an act to organize and regulate banking associations ;

A bill to amend section 1, of chapter 128 of the revised statutes of 1846 ; and

A bill to amend sections 1, 2, and 3, of chapter 95 of the revised statutes of 1846, have had the same under consideration, and instruct me to report the same back to the House, recommend their passage and ask to be discharged from the further consideration of the same.

The report was accepted, and the committee discharged, the bills severally referred to the committee of the whole, and placed on the general order.

Mr. Green, from the select committee on the subject of phonetics submitted a report in writing.

Mr. Mitchell moved to lay it on the table, and order 480 copies to be printed.

Mr. Craven moved to amend by inserting 960 copies, which prevailed.

The motion as amended was then lost.

Mr. Morton moved that 480 copies of the same be printed.

Agreed to.

MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 10, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the Office of the Secretary of State,

An act to discontinue a certain road in the town of Martin, in the county of Allegan ;

An act to amend section 32 of an act entitled "an act to incorporate the city of Adrian, approved January 31st, 1853 ;

Joint resolution relative to conveying of a lot in Lansing, to the trustees of the Baptist church.

R. McCLELLAND.

And the following from the Senate :

SENATE CHAMBER,  
Lansing, February 10, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

1. A bill to provide for the collection of taxes in the township of Lynn, County of St. Clair, and to extend the time for the collection thereof, in which the Senate have concurred by a vote of two-thirds of all the Senators elect.

2. A bill to provide for draining a certain Lake in the township of Springfield, Oakland county,

In which the Senate have concurred by a vote of a majority of the Senators elect, and have ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

3. A joint resolution relative to joint convention of the two Houses, to receive nominations from the Governor,

In which the Senate have concurred.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bills were severally ordered enrolled.

Also the following:

SENATE CHAMBER, }  
*Lansing. February 11, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill making appropriations to the Michigan State Agricultural Society, and to provide for publishing the annual report of said society,

Which the Senate have passed by a majority vote of all the Senators elect and in which the concurrence of the House is respectfully asked.

Yours, &c.,

O. W. MOORE,

*Sec. Senate.*

Mr. Morton moved a suspension of the rules to put said bill upon its final passage.

Lost.

Mr. Chittenden moved that it be indefinitely postponed.

Lost.

The bill was then referred to the committee on agriculture and manufactures.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Seymour moved that the bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849, be taken from the general order and be read a third time.

Agreed to.

The bill was ordered read a third time, was so read, and

On motion of Mr. Morton,

Recommitted to committee on public lands, with instructions to strike out sections 13 and 11 thereof.

Mr. Craven offered the following resolution:

*Resolved by this House,* That the statement of the correspondent of the Detroit Daily Advertiser, and the comments of the editor thereon, as they appear in that paper under date of February 10th, in regard to the action of the Speaker and Clerk of this House, and indirectly charging partiality and corruption upon said officers, are wholly unfounded and absolutely destitute of truth.

*Resolved*, That said correspondent has, in said communication, committed a gross violation of the rules of truth and honor, and of the privileges and rights of members and officers of this House.

Mr. Chittenden moved that the resolution be referred to a special committee.

*Lost*.

The yeas and nays were then demanded and ordered. Messrs. H. Miller, Haight and Warner were excused from voting.

The resolution was then adopted by the following vote :

YEAS:

|              |                |             |    |
|--------------|----------------|-------------|----|
| Mr. Adams,   | Mr. Frey,      | Mr. Morton, |    |
| Arnold,      | Gale,          | Murphy,     |    |
| Bailey,      | J. Gleason,    | Parkhurst,  |    |
| Bates,       | J. P. Gleason, | Poppleton,  |    |
| Benedict,    | Goff,          | Ransom,     |    |
| Bristol,     | Griswold,      | Richardson, |    |
| Bonine,      | Hand,          | Rider,      |    |
| Burt,        | Haze,          | Root,       |    |
| Canfield,    | Ingalls,       | Seymour,    |    |
| Chapel,      | Jennison,      | Sherman,    |    |
| Craven,      | Jones,         | Sheldon,    |    |
| Davis,       | Lathrop,       | Shoemaker,  |    |
| Ellsworth,   | Lovell,        | Smith,      |    |
| Ely,         | McDougall,     | Thompson,   |    |
| Fitch,       | Marsh,         | Traver,     |    |
| Fitzsimmons, | Mitchell,      | Worden,     | 49 |

NAYS:

|                 |              |           |   |
|-----------------|--------------|-----------|---|
| Mr. Chittenden, | Mr. Gregory, | Mr. Reno, |   |
| Ewing,          | Matthews,    | Strang,   | 6 |

Mr. Thompson moved to reconsider.

*Lost*.

On motion of Mr. Chittenden,

A committee of two was ordered to be appointed to wait on the Senate, and inform that body that the House would be ready to meet them in joint convention at 12 o'clock, to act on such nominations as the Governor might lay before them.

Messrs. Chittenden and Bates were appointed such committee.

Mr. Ransom moved that when next in the order of business, the general order shall be reached, the Senate bills shall be taken up, in the order they now have in file, and considered in committee of the whole, and reported back to the House.



Agreed to.

On motion of Mr. Gregory,

*Resolved*, That the committee on printing be instructed to report without delay how many copies of the report of the Superintendent of Public instruction have been printed, and whether the balance of the number ordered can be printed so as to be distributed to the members during this session.

Mr. Chittenden from the special committee appointed to wait upon the Senate and inform that body of the readiness of the House to meet them in joint convention, reported that the committee had discharged the duty assigned them.

#### THIRD READING OF BILLS.

The bill to amend an act to incorporate the President, Directors and Company of the Farmers' and Merchants' Bank of Ann Arbor, was taken up for a third reading, when

Mr. Fitch moved a call of the House.

Call ordered.

The roll was called, when it appeared that Messrs. Adams, Norton, Palmer and Root were absent without leave. Messrs. Adams and Root soon after appeared in their places.

On motion of Mr. Traver,

All further proceedings under the call were dispensed with.

The bill was then read the third time and passed as follows:

#### YEAS:

Mr. Bates,  
Benedict,  
Bristol,  
Bonine,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,

Mr. Goff,  
Green,  
Griswold,  
Haight,  
Haze,  
Ingalls,  
Irwin,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,

Mr. Mitchell,  
Murphy,  
O'Callaghan,  
Parkhurst,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Shelden,  
Strang,  
Sutherland,  
Toll,  
Warner,

## NAYS:

Mr. Adams,  
Arnold,  
Burt,  
Fitzsimmons,  
Gregory,

Mr. Hand,  
Jennison,  
Poppleton,  
Ransom,  
Shoemaker,

Mr. Smith,  
Thompson,  
Traver,  
Worden,

14

A committee consisting of Messrs. Curtenius and Stowell, was then announced from the Senate, who reported to the House that the Senate were in readiness to meet the House in joint convention.

The Senate was soon thereafter announced, and the Senators conducted to seats prepared for them.

## PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of Senators found to be present.

The roll of the House of Representatives was called by the Clerk thereof, and a quorum of the House of Representatives found to be present.

The President then announced that the two Houses had met in joint convention for the purpose of acting on such nominations as the Governor might lay before them.

On motion of Senator Griswold,

A committee of two was ordered to be appointed to wait upon the Governor and inform him that the two Houses had met in joint convention to act on such nominations as he might make to them.

Senator Griswold and Mr. Mitchell of the House of Representatives, were appointed such committee, who soon after returned, and reported that they had discharged the duty assigned them.

The following message was then received from the Governor, by the hands of P. J. Loranger, his private secretary:

EXECUTIVE OFFICE, }  
Lansing, February 11, 1853. }

*To the Senate and House of Representatives, in joint convention:*

I hereby nominate John E. Schwarz, of Wayne county, to be Adjutant General, for the legal term, to commence at the close of this session, when his present term expires.

R. McOLELLAND.

The nomination of John E. Schwarz, as Adjutant General, was then advised and consented to, as follows:

## SENATORS:

## YEAS.

Mr. Arzeno,  
Beeson,  
Clarke,  
Curtenius,  
Dickey,  
Fralick,  
Gardner,  
Goodrich,  
Gould,  
Griswold,  
Hall,

Mr. Harrington,  
Harris,  
Hixon,  
Johnson,  
Kent,  
Leonard,  
Lyon,  
Moore,  
McCauley,  
McNaughton,

Mr. Newberry,  
Paddock,  
Pierce,  
Russell,  
Snow,  
Smith,  
Stevens,  
Stowell,  
Twombly,  
Wright,

31

## NAYS

0

## REPRESENTATIVES.

## YEAS.

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
James Gleason,  
J. P. Gleason,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

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## NAYS

Mr. Ellsworth,  
Sherman,

Mr. Strang,

Mr. Thompson,

4

Mr. Griswold moved that the joint convention do now proceed to elect five trustees for the Asylums for the deaf, dumb and blind, and for the insane.

Pending the question on which,

On motion of Senator Goodrich,

The joint convention adjourned until 7 o'clock to-morrow evening.

O. W. MOORE,

*Sec'y of Senate.*

D. P. BUSHNELL,

*Clerk House of Rep's.*

*Sec'ys of Joint Convention.*

After the Senate had withdrawn the House was called to order by the Speaker, who announced that the two Houses had in joint convention advised and consented to the nomination of John E. Schwarz, as Adjutant General, for the legal term, to commence at the close of this session.

On motion of Mr. Chittenden,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found to be present.

PETITIONS PRESENTED.

Mr. Mitchell presented the petitions of J. W. Childs and others; of A. J. Nichols and others; of A. N. Felt and others; of Webster Galloway and others; of E. W. Caldwell and others, of J. M. Phillips and others; of E. S. Smith and others; of John H. Haight and others; of Otis B. Waters and others; of J. T. Webster and others; of Ashbel Hubbard and others; of E. Walter and others; of J. L. Whipple and others; of David W. Palmer and others, and of Isaac Hiller and others, all asking for an appropriation for a State Normal School.

Laid on the table.

REPORTS.

Mr. Smith, from the committee on public lands, to whom was referred,

A bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government,

With instructions to make certain amendments thereto, reported the same amended as instructed, and asked to be discharged.

The report was accepted, the committee discharged, and the bill referred to the order of its third reading.

## MESSAGES.

The following message was received from the Senate :

SENATE CHAMBER,  
*Lansing, February 11, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

A bill to incorporate the village of Hudson,

In which the Senate have concurred with an amendment, by a vote of two-thirds of all the Senators elect, and in which amendment the concurrence of the House is asked.

A bill authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties,

In which the Senate have concurred by a majority vote of all the Senators elect.

A bill to organize the township of Auchville, in the county of Tuscola,

In which the Senate have concurred with an amendment, by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect, and in which amendment the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The amendments to the first and third were severally concurred in, and all of said bills were ordered enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mitchell moved to take from the table the bill relative to the University of Michigan and put the same on the order of its third reading.

Mr. Chittenden moved to lay the motion of Mr. Mitchell on the table.

Lost.

After some discussion, the question was taken on the motion of Mr. Mitchell,

And the motion did not prevail.

Mr. Mitchell then moved that

Joint resolution relative to certain State building lands be taken from the general order, and put upon its final passage.

Agreed to.

The joint resolution was then read a third time and passed.

On motion of Mr. Thompson,

*Resolved*, That the committee on banks and incorporations be instructed to report to this House to-morrow morning upon a resolution adopted on the 25th ult., to ascertain if any banks in this State are issuing bills as money without security to the bill holders.

Mr. C. L. Miller moved that joint resolution No. 8, relative to mechanical trades in State Prison be taken from the general order and put on its final passage.

Lost.

#### THIRD READING OF BILLS.

Under this order,

A bill to complete the judicial organization of the State was taken up, read a third time and passed by the following vote :

#### YEAS :

Mr. Adams,  
Arnold,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,

Mr. Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Lathrop,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Palmer,  
Parkhurst,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Seymour,  
Shelden,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Worden,  
Speaker, 45

#### NAYS :

Mr. Gale,  
Gregory,  
Green,

Mr. Jones,  
Lovell,  
Matthews,

Mr. C. L. Miller,  
Shoemaker,

8

On motion of Mr. Mitchell,

The bill was ordered to take immediate effect ; also,

A bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government was passed by the following vote :

YEAS :

|                |               |                  |    |
|----------------|---------------|------------------|----|
| Mr. Adams,     | Mr. Griswold, | Mr. O'Callaghan, |    |
| Arnold,        | Haight,       | Palmer,          |    |
| Bailey,        | Hand,         | Parkhurst,       |    |
| Benedict,      | Haze,         | Poppleton,       |    |
| Bristol,       | Ingalls,      | Ransom,          |    |
| Burt,          | Irwin,        | Reno,            |    |
| Canfield,      | Jennison,     | Renwick,         |    |
| Craven,        | Jones,        | Rider,           |    |
| Davis,         | Lathrop,      | Seymour,         |    |
| Ellsworth,     | Lovell,       | Sherman,         |    |
| Ewing,         | McWhorter,    | Sheldon,         |    |
| Fitch,         | Marsh,        | Shoemaker,       |    |
| Fitzsimmons,   | Mathews,      | Smith,           |    |
| Frey,          | H. Miller,    | Strang,          |    |
| Gale,          | C. L. Miller, | Toll,            |    |
| J. Gleason,    | Mitchell,     | Traver,          |    |
| J. P. Gleason, | Morton,       | Worden,          |    |
| Gregory,       | Norton,       | Speaker,         | 54 |

NAYS :

0

On motion of Mr. Ransom,

The same was ordered to take immediate effect.

UNFINISHED BUSINESS.

Joint resolution to authorize the Commissioner of the State Land Office to grant right of way to the Oakland and Ottawa Railroad Company,

Was taken up under the head of unfinished business, and ordered engrossed and read a third time; also,

A bill to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers,

Which was ordered engrossed and to be read a third time.

The House then resolved itself into committee of the whole on the general order,

Mr. Fitch in the chair.

After spending some time thereon, the committee rose and through their chairman reported back to the House,

Joint resolution for the relief of Almon Whipple;

A bill relative to the University Interest Fund;

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners;

A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne;

A bill to provide for an additional circuit court commissioner for the county of Wayne;

Joint resolution relative to refunding money twice paid for certain primary school lands;

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of circuit courts;

A bill to provide for the transfer of the records, files, books, papers and judgments, in the county courts to the circuit courts;

A bill to amend the charter of the city of Detroit;

A bill to amend section 61 of chapter 14 of the revised statutes;

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company;

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848; and

A bill in aid of the Michigan Asylums;

The last with an amendment, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

On motion of Mr. Ellsworth;

The House adjourned.



*Lansing, February 12, 1853.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Knickerbacker.

Roll called, a quorum present.

REPORTS.

Mr. Ellsworth, from the committee on towns and counties, submitted the following report :

The committee on towns and counties to whom was referred,

A bill to change the name of the township of Clarence, in the county of Calhoun, to Duck Lake, have had the same under consideration and report the same back to the House, and respectfully recommend its passage and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. James Gleason, from the committee on agriculture and manufactures, submitted the following :

The committee on agriculture and manufactures to whom was referred Senate bill No. 48 praying for an appropriation of one thousand dollars to the Michigan State Agricultural Society for the years 1853 and '54, report the same back, and recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. H. Miller, from the committee on printing, submitted the following :

The committee on printing to whom was referred a resolution of this House, in relation to the Report of the Superintendent of Public Instruction, report that 600 copies of the 4000 copies heretofore voted for the use of this House, have been printed and delivered, and the remainder are not printed, and cannot be during this session of the Legislature.

The report was accepted and the committee discharged.

## MESSAGES.

The following message was received from the Governor :

EXECUTIVE OFFICE,  
Lansing, Feb. 11, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee;

An act to prevent the wilful and malicious destruction of fruit, shade or ornamental trees;

An act to provide for the publication of probate and other legal notices.

R. McCLELLAND.

And the following message from the Senate :

SENATE CHAMBER,  
Lansing, February 11, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Marie, approved February 5, 1853,

Which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,  
Sec. Senate.

The bill was read a first and second time, and referred to the committee on internal improvement.

Also the following :

SENATE CHAMBER,  
Lansing, February 11, 1853. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit to the House,

1. A joint resolution authorizing the Board of State Auditors to allow certain claims against the State,

Which the Senate have passed by a majority of all the Senators elected, and respectfully ask the concurrence of the House therein.

Also, to transmit

2. A bill to amend sections five and six of an act to organize the county of Sheboygan;

3. A joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate to Charles Chandler, administrator of the estate of James McDonald, deceased;

Both of which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds, ordered the same to take immediate effect, and respectfully ask the concurrence of the House therein.

Also, to return herewith

4. A bill for the construction of public offices at the seat of government, at Lansing;

And to respectfully inform you that the Senate have non-concurred in the amendment made by the House, and have, by a two-thirds vote, ordered the same to take immediate effect.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y Senate.*

The first named joint resolution was ordered to lay over one day.

The third named, and the second named bill, referred to committees of the whole and placed on the general order.

Mr. Mitchell moved that the House do insist upon the amendment to the last named bill, on which the ayes and noes were ordered, and the motion was agreed to by the following vote:

**YEAS :**

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,

Mr. Gale,  
J. Gleason,  
Goff,  
Grisweld,  
Hand,  
Hase,  
Irwin,  
Jennison,  
Lathrop,  
McWhorter,  
Marsh,  
Matthews,

Mr. O'Callaghan,  
Palmer,  
Poppleton,  
Reno,  
Renwick,  
Richardson,  
Seymour,  
Shoemaker,  
Thompson,  
Toll,  
Traver,  
Warner,

Ewing,  
Fitzsimmons,  
Frey,

H. Miller,  
Mitchell,

Worden,  
Speaker,

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# NAYS:

Mr. Bonine,  
Chapel,  
John P. Gleason,  
Haight,  
Ingalls,  
Jones,  
Lovell,

Mr. McDougall,  
C. L. Miller,  
Morton,  
Murphy,  
Norton,  
Parkhurst,  
Ransom,

Mr. Rider,  
Root,  
Sherman,  
Sheldon,  
Smith,  
Strang,  
Sutherland, 21

On motion of Mr. Fitch,

A committee of conference upon said amendment, to confer with like committee from the Senate, was ordered.

The Chair announced Messrs Fitch, Chittenden and Gale, as such committee of conference.

Also the following:

SENATE CHAMBER,  
Lansing, Feb. 11, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

1. A bill to amend act No. 90 of the sessions laws of 1851, entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851;

2. A bill relating to telegraph operators, and others;

In which the Senate have concurred, and ordered by a vote of two-thirds of all the Senators elect, to take immediate effect.

3. A bill to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848;

In which the Senate have concurred by a vote of two-thirds of all the Senators elect.

4. A bill to amend sections 2, 27, 39 and 40, of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851;

In which the Senate have concurred by a majority vote.

5. A bill supplementary to an act relative to surplus funds in the State Treasury, being House bill of the present session;

In which the Senate have concurred, by the adoption of a substitute, by a majority vote, and by a two-thirds vote of all the Sena-

tors elect, have ordered that said substitute take immediate effect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The first four named bills were ordered enrolled.

The question then being taken on the substitute of the Senate in the last named bill, the same was concurred in, and

On motion of Mr. Ransom,

It was ordered to take immediate effect.

The bill was then ordered enrolled.

Also the following :

SENATE CHAMBER, }  
*Lansing, Feb. 12, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return herewith,

A bill to provide for the survey of the public highways in the township of White Pigeon;

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect.

Very Respectfully,

O. W. MOORE,

*Sec'y. Senate.*

The bill was ordered enrolled.

■ Mr. Burt, from the committee on internal improvement, asked and obtained unanimous consent to introduce the following report:

The committee on internal improvement, to whom was referred a bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary's, approved February 5, 1853, report the same back to the House, recommend its passage and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

On motion of Mr. Mitchell,

The rules were suspended and the bill ordered to be read a third time, was so read and passed, by the following vote:

## YEAS :

Mr. Bailey,  
Benedict,  
Bristol,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
J. Gleason,  
Goff,  
Gregory,  
Green,  
Gulick,

Mr. Haight,  
Haze,  
Irwin,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,

Mr. Parkhurst,  
Ransom,  
Reno,  
Renwick,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Warner,  
Worden,  
Speaker, 51

## NAYS :

Mr. Adams,  
Arnold,  
Bates,  
Fitzsimmons,

Mr. Gale,  
Hand,  
Ingalls,

Mr. Morton,  
Poppleton,  
Traver, 10

On motion of Mr. Mitchell,

The same was ordered to take immediate effect.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitch moved to take Senate bill to establish an agricultural school, from the general order, and put the same on its final passage.  
Lost.

On motion of Mr. Morton,

House bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan, was taken from the table and placed on its final passage.

Mr. Craven moved to recommit bill number 55, to the judiciary committee, with instructions to strike out section 15, and insert in lieu thereof, the following:

Sec. 15. Notice in writing of such intended application, subscribed by not less than twelve freeholders of the territory proposed to be erected into a township, shall be posted in five public places in the territory proposed to be organized into a township, for four weeks next previous to such application to the board of supervisors; and a copy of such notice shall also be published once in each week for

four successive weeks, in some newspaper printed in the county, if any be published therein, immediately preceding the meeting of the board, at which such application shall be made.

Also insert at the end of section 33 : "All laws and regulations made in pursuance of this act, shall be published in some newspaper published in the respective county ; if there is no newspaper published in the county, then a copy of all such laws and regulations shall be posted up in the several townships in the county conspicuously at the place where the last township meeting was held."

Agreed to, and the bill was so referred.

Mr. Chittenden offered the following resolution :

*Resolved*, That the bill entitled a bill to establish an agricultural school, &c.

Be re-referred to committee on agriculture with instructions to report this day six months to this House.

Mr. Ransom moved to lay the resolution on the table.

Agreed to.

Mr. Chittenden moved to reconsider.

Lost.

On motion of Mr. O'Callaghan,

*Resolved*, That the committee of the whole be discharged from the further consideration of House bill No. 58, entitled a bill supplementary to the common school law.

Mr. Chittenden moved that said bill be put upon the order of third reading of bills.

Agreed to.

Mr. Sherman moved that

A bill to provide for the payment of specific taxes, to counties in the Upper Peninsula,

Be taken from the general order and placed on the order of its third reading.

Agreed to.

On motion of Mr. Fitch,

*Resolved*, That Andrew J. Graham be and hereby is allowed for his services as reporter, his per diem for fifty days up to Monday noon next.

Mr. Reno offered the following :

*Whereas*, The population of the State of Michigan consists of a great number of Germans who are not acquainted with the English language, and therefore ignorant of the laws of their adopted country, therefore

*Resolved*, That when the laws of Michigan will have been consolidated in one code or statute book, that one fourth of the number of copies of said statutes be translated and printed in the German language for their use.

Mr. Sherman moved to amend, by adding "and that one-sixteenth be published in the Chippewa language."

Agreed to.

The resolution as amended was then lost.

Mr. Griswold moved to take from the general order, joint resolution No. 8, relative to mechanical trades in State Prison, and place on order of third reading.

Mr. Ellsworth moved to amend by adding "and that all bills on the general order be placed on the order of 3d reading."

Agreed to.

The motion as amended was then lost.

Mr. Sutherland moved that the report and resolution relative to appropriation for Northern Wagon Road, be recommitted to the select committee that reported the same, and that said committee be reappointed for that purpose.

On motion of Mr. Gale, the motion was laid on the table.

Mr. Sutherland offered the following:

*Resolved*, That in the opinion of this House, the firemen of the House ought to receive a compensation of two dollars and a half per day, for the time which they have actually served during the present session.

Lost.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval.

*An act to authorise the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties; also*



An act to provide for draining a certain lake in the town of Springfield, Oakland county; also

An act to organize the township of Auchville, in the county of Tuscola; and

An act to provide for the collection of taxes in the township of Lynn, county of St. Clair, for the year 1852, and to extend the time for the collection thereof.

Mr. Ellsworth, from the committee on judiciary, to whom was referred House bill No. 55, with instructions, reported the same back amended as instructed, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill ordered to be engrossed and read the third time.

#### THIRD READING OF BILLS.

A bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan, was read a third time and passed as follows:

#### YEAS:

Mr. Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. P. Gleason,  
Gregory,  
Green,  
Griswold,

Mr. Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,

53

#### NAYS:

Mr. Chittenden,

Mr. Smith,

2

A bill supplementary to the common school law, was taken up for a third reading, when

Mr. Mitchell moved the indefinite postponement thereof.

Pending which,

Mr. O'Callaghan moved a call of the House.

Call ordered.

The roll was called, when it appeared that Messrs. Murphy and Palmer were absent without leave, when

On motion of Mr. Ransom,

All further proceedings under the call were dispensed with.

The question was then taken on the indefinite postponement, and the same was agreed to by the following vote:

YEAS:

|              |                    |               |    |
|--------------|--------------------|---------------|----|
| Mr. Adams,   | Mr. J. P. Gleason, | Mr. Mitchell, |    |
| Arnold,      | Goff,              | Morton,       |    |
| Bailey,      | Gregory,           | Norton,       |    |
| Bates,       | Green,             | Poppleton,    |    |
| Benedict,    | Gulick,            | Ransom,       |    |
| Bristol,     | Hand,              | Renwick,      |    |
| Bonine,      | Ingalls,           | Richardson,   |    |
| Burt,        | Jennison,          | Rider,        |    |
| Chapel,      | Jones,             | Seymour,      |    |
| Craven,      | Lathrop,           | Sheldon,      |    |
| Davis,       | McDougall,         | Sutherland,   |    |
| Ellsworth,   | McWhorter,         | Thompson,     |    |
| Ely,         | Marsh,             | Toll,         |    |
| Fitzsimmons, | Matthews,          | Traver,       |    |
| Frey,        | H. Miller,         | Worden,       |    |
| Gale,        | C. L. Miller,      | Speaker,      | 48 |

NAYS:

|               |              |              |    |
|---------------|--------------|--------------|----|
| Mr. Canfield, | Mr. Haze,    | Mr. Sherman, |    |
| Chittenden,   | Irwin,       | Shoemaker,   |    |
| Ewing,        | Lovell,      | Smith,       |    |
| J. Gleason,   | O'Callaghan, | Strang,      |    |
| Fitch,        | Parkhurst,   | Warner,      |    |
| Haight,       | Reno,        |              | 17 |

Joint resolution to authorize the Commissioner of the State Land Office to grant the right of way to the Oakland and Ottawa Railroad Company, was taken up for a third reading, when

Mr. Fitch moved to lay the same on the table.

Lost.

The joint resolution was then read a third time and passed by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Burt,  
Canfield,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Gale,  
James Gleason,  
J. P. Gleason,  
Gregory,  
Gulick,  
Hand,

Mr. Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Morton,  
Murphy,

Mr. Norton,  
O'Callaghan,  
Parkhurst,  
Ransom,  
Renwick,  
Rider,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Toll,  
Traver,  
Warner,  
Worden, 48

## NAYS:

Mr. Bailey,  
Chapel,  
Craven,

Mr. Ely,  
Frey,  
Goff,

Mr. Green,  
Thompson, 8

A bill to provide for the payment of specific taxes to the counties in the Upper Peninsula,

Was read the third time and passed as follows:

## YEAS.

Mr. Arnold,  
Bailey,  
Bates,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
J. Gleason,  
J. P. Gleason,  
Gregory,

Mr. Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,  
O'Callaghan,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,

55

## NAYS.

0

On motion of Mr. Sherman,

The same was ordered to take immediate effect by a two-thirds vote of all elected.

On motion of Mr. Ransom,

It was ordered that three additional members be added to the committee on enrollment and engrossment.

The Speaker appointed Messrs. Worden, Root and Sutherland.

#### UNFINISHED BUSINESS.

The House then went into consideration of the unfinished business of the preceding day.

A bill in aid of the Michigan Asylums,

Being under consideration, and the question being on concurring in the amendment of the committee to the same, which was as follows, to-wit:

Sec. 8. The Auditor General shall, in the years 1853 and 1854, at the same time other State taxes are apportioned by him among the several counties, apportion among the several counties, in proportion to the valuation as equalized by the State Board of Equalization, the sum of thirteen thousand dollars for the year 1853, and ten thousand dollars for the year 1854, which several amounts when so apportioned, shall be collected and returned as other State taxes are required to be by law,

Was concurred in.

Mr. Bates then offered the following amendment:

Amend by striking out of section 3, first and second lines, the words "the sites selected," and insert "such sites as such trustees shall select, in the township of Lansing, county of Ingham."

Lost as follows :

#### YEAS:

|            |              |                |    |
|------------|--------------|----------------|----|
| Mr. Adams, | Mr. Ingalls, | Mr. Shoemaker, |    |
| Bates,     | Jones,       | Thompson,      |    |
| Fitch,     | Parkhurst,   | Traver,        | 9. |

#### NAYS:

|             |           |                |
|-------------|-----------|----------------|
| Mr. Arnold, | Mr. Goff, | Mr. Poppleton, |
| Bailey,     | Gregory,  | Ransom,        |
| Benedict,   | Green,    | Renwick,       |
| Bristol,    | Griswold, | Richardson,    |
| Bonine,     | Haight,   | Rider,         |

Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitzsimmons,  
Frey,  
Gale,

Haze,  
Jennison,  
Lathrop,  
Lovell,  
McDougall,  
Marsh,  
Matthews,  
Murphy,  
Norton,  
Palmer,

Root,  
Seymour,  
Sherman,  
Sheldon,  
Smith,  
Straug,  
Sutherland,  
Toll,  
Worden,  
Speaker,

46

The bill was then ordered to be engrossed and read the third time.

A bill to amend section 61, of chapter 14, of the revised statutes;

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Comyany ;

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and the interest due thereon ; and also for liquidating and funding the amount of principal and interest actually due upon the part-paid five million loan bonds, approved April 1st, 1848 ;

Severally reported back by committee of the whole without amendment, were ordered to be engrossed and read the third time. •

A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts, being under consideration,

Mr. Ellsworth offered the following amendment thereto :

Amend by adding to section one, "and the sum of fifty cents per day, is hereby appropriated, to be paid the firemen of the House of Representatives for each day they have actually served during the present session ; the same sum to be in addition to the compensation already allowed them.

Adopted.

Mr. Ely moved a reconsideration of the last vote.

Agreed to.

The question was then taken on the amendment, and the same rejected.

The bill was then ordered to be engrossed and read the third time.

Joint resolution for the relief of Almon Whipple ;

A bill relative to the University interest fund ;

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners ;

Severally reported back by committee of the whole, without amendment, were ordered to be engrossed and read the third time.

A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne;

A bill to provide for an additional circuit court commissioner for the county of Wayne;

Joint resolution relative to refunding money twice paid for certain primary school lands; and

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of circuit courts;

Also reported back by committee of the whole without amendment, were severally ordered to be engrossed and read the third time.

A bill to amend the charter of the city of Detroit, being under consideration,

Mr. O'Callaghan moved its indefinite postponement.

Lost.

The bill was then ordered to be read the third time.

On motion of Mr. Ewing,

The House adjourned.

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*Afternoon Session.*

2 o'clock.

The House met pursuant to adjournment and was called to order by Mr. Morton, Speaker *pro tempore*.

The roll was called and a quorum found to be present.

PETITIONS.

Mr. Lovell presented the petition of James Myers and 91 others, and of Adaline Clarke and 21 others, of Kalamazoo county, praying for the passage of the Maine law.

Laid on the table.

REPORTS.

Mr. Fitch, from the committee of conference, with like committee from the Senate, in relation to disagreement of the two Houses upon

A bill for the construction of public offices at the seat of government, at Lansing,

Reported that said committee had conferred with Senate committee, and recommended that the House recede from their amendment.

The report was accepted and the committee discharged.

The question being taken on receding, the ayes and noes were ordered, and the House refused to recede, by the following vote:

## YEAS:

Mr. Bates,  
Bonine,  
Burt,  
Craven,  
Ely,  
Fitch,  
J. Gleason,  
Gregory,  
Green,  
Gulick,

Mr. Haze,  
Ingalls,  
Jones,  
Lovell,  
McDougall,  
Marsh,  
Matthews,  
Norton,  
Palmer,  
Parkhurst,

Mr. Ransom,  
Root,  
Seymour,  
Sherman,  
Strang,  
Sutherland,  
Traver,  
Warner,  
Speaker,

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## NAYS:

Mr. Adams,  
Arnold,  
Benedict,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ellsworth,  
Fitzsimmons,  
Frey,

Mr. Goff,  
Haight,  
Hand,  
Lathrop,  
McWhorter,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Poppleton,

Mr. Reno,  
Renwick,  
Richardson,  
Rider,  
Sheldon,  
Shoemaker,  
Thompson,  
Toll,  
Winters,

29

Mr. Gregory, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for approval,

An act supplementary to an act entitled an act relative to surplus funds in State Treasury, being House bill of the present session, No. 73; and

An act to amend act number 90 of the session laws of 1851, entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851.

Mr. Marsh, from the committee on engrossment and enrollment, reported as correctly enrolled,

An act prohibiting the manufacture of intoxicating beverages, or the traffic therein; also

An act to provide for the publication of probate and other legal notices; also

An act to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee; and

An act to amend section 49 of chapter 154 of the revised statutes of 1846.

MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
Lansing, Feb. 12, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties;

An act to provide for the draining of a certain lake in the township of Springfield, Oakland county;

An act to organize the township of Auchville, in the county of Tuscola,

An act to provide for the collection of taxes in the township of Lynn, in the county of St. Clair, for the year 1852, and to extend the time for the collection thereof.

R. McCLELLAND.

The following from the Senate :

SENATE CHAMBER, }  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to amend section 7 of chapter 72 of the revised statutes,

Which the Senate have passed and by a vote of two-thirds of all the Senators elect, have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec. Senate.*



The bill was read a first and second time, and referred to committee on judiciary.

Also the following :

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof,

In which the Senate have concurred by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect.

A bill appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia,

In which the Senate have concurred by a majority of all the Senators elect.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The bills were severally ordered enrolled.

Also the following:

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

In which the Senate have concurred with an amendment, by a majority vote, in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

The amendment was concurred in, and the bill ordered enrolled.

Also the following:

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to complete the judicial organization of the State,

In which the Senate have concurred by a majority vote, and by a vote of two-thirds of all the Senators elect, ordered that the same take immediate effect.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The bill was ordered enrolled.

Also the following:

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to provide for draining certain swamp lands,

In which the Senate have concurred by a vote of a majority of all the Senators elect.

Very respectfully, &c.,

O. W. MOORE,

*Sec. Senate.*

The bill was ordered enrolled.

Also the following:

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill providing for the compensation of judges of probate,

In which I am instructed respectfully to inform the House that the Senate have non-concurred.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

Also the following :

SENATE CHAMBER,  
*Lansing, February 12, 1853.*

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return herewith,

A bill to provide for the construction of public offices at the seat of government at Lansing,

And inform the House that the Senate insist upon their amendment to such bill, and have appointed Senators Stowell, Gould and McNaughton as a committee of conference on the part of the Senate, to act with the committee appointed on the part of the House, upon the disagreement between the two Houses upon said bill.

Respectfully,

O. W. MOORE,

*Sec'y Senate.*

Mr. Marsh from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act relating to telegraph operators and others ; also,

An act to provide for the re-survey of the public highways in the township of White Pigeon, in the county of St. Joseph ; and

An act to incorporate the village of Hudson.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. H. Miller moved to take from the table

Joint resolution relative to an appropriation for the construction and improvement of the Northern Wagon Road, and put the same on its final passage.

Lost.

Mr. Chittenden introduced

A joint resolution to amend the constitution.

Laid over one day under the rule.

On motion of Mr. Lathrop,

*Resolved*, That joint resolution No. 7, be taken from the table, and put on its final passage.

Mr. Seymour moved to recommit to special committee with instructions to strike out all after the word judgment in the 4th line.

Lost.

Mr. Sutherland moved to recommit without instructions.

Lost.

The joint resolution entitled joint resolution relative to an appropriation for the construction and improvement of the Northern Wagon Road was then passed.

Mr. Mitchell, from judiciary committee, asked and obtained leave to report back,

A bill to amend section 7 of chapter 72 of the revised statutes, and recommend that it pass.

The report was accepted, and the committee discharged, the bill was referred to the committee of the whole and placed on the general order.

The following message was announced from the Senate :

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives :*

SIR—Herewith is returned,

A bill to provide for the payment of specific taxes to counties in the Upper Peninsula,

In which the Senate have concurred by a majority vote of all the Senators elect.

Very respectfully,

O. W. MOORE,  
*Sec'y Senate.*

The bill was ordered enrolled.

On motion of Mr. Mitchell,

*Resolved*, That all Senate bills now on the general order be taken therefrom, and that the reading the same for amendments, shall be considered as a third reading.

Mr. Richardson moved a reconsideration of joint resolution number seven.

Mr. H. Miller moved to lay the motion on the table.

Agreed to.

Mr. Toll moved to reconsider the vote by which the bill to amend the Detroit city charter was ordered engrossed.

Agreed to.

Mr. Ely offered the following:

*Resolved*, That Senate bill No. 75, to amend the charter of the city of Detroit, be recommitted to a select committee, consisting of Messrs. Chittenden and O'Callaghan, to make such amendments as may be necessary.

Mr. Sherman moved to amend, so as to include all members from Wayne.

Mr. Burt moved to amend, by referring to judiciary committee.

Mr. Shoemaker moved to lay on the table.

Lost.

The question being taken on Mr. Burt's amendment, it was lost.

Mr. Sherman's was also lost.

The question recurring on the original motion, it was lost, and the bill was ordered to be engrossed, and read a third time.

#### THIRD READING OF BILLS.

The following bills were read the third time and passed, to wit:

A bill relative to the University fund, as follows:

#### YEAS:

Mr. Adams,  
Bates,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Frey,  
Gale,  
Goff,

Mr. Green,  
Gulick,  
Haight,  
Haze,  
Ingalls,  
Irwin,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Marsh,  
Mathews,  
H. Miller,  
Mitchell,

Mr. Palmer,  
Poppleton,  
Ransom,  
Renwick,  
Rider,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Warner,  
Speaker,  
Speaker, *pro tem.*

42

#### NAYS:

Mr. Arnold,  
Benedict,  
Chittenden,  
Davis,  
Fitzsimmons,

Mr. Gregory,  
Hand,  
Jones,  
C. L. Miller,

Mr. Reno,  
Sherman,  
Thompson,  
Traver,

13

Joint resolution relative to refunding money twice paid for certain primary school lands, by a majority vote.

Joint resolution for the relief of Almon Whipple, by a majority vote.

A bill in aid of the Michigan Asylums, as follows:

YEAS:

|              |               |                         |
|--------------|---------------|-------------------------|
| Mr. Adams,   | Mr. Griswold, | Mr. Poppleton,          |
| Arnold,      | Gulick,       | Ransom,                 |
| Bailey,      | Haight,       | Reno,                   |
| Bates,       | Hand,         | Richardson,             |
| Benedict,    | Haze,         | Rider,                  |
| Bonine,      | Irwin,        | Root,                   |
| Chapel,      | Jennison,     | Seymour,                |
| Chittenden,  | Jones,        | Sherman,                |
| Craven,      | Lathrop,      | Shelden,                |
| Davis,       | Lovell,       | Shoemaker,              |
| Ellsworth,   | McDougall,    | Smith,                  |
| Ely,         | McWhorter,    | Strang,                 |
| Ewing,       | Marsh,        | Sutherland,             |
| Fitch,       | Matthews,     | Thompson,               |
| Fitzsimmons, | H. Miller,    | Traver,                 |
| Frey,        | Mitchell,     | Warner,                 |
| Goff,        | Murphy,       | Speaker,                |
| Gregory,     | Parkhurst,    | Speaker <i>pro tem.</i> |
| Green,       |               | 55                      |

NAYS:

|           |               |   |
|-----------|---------------|---|
| Mr. Burt, | Mr. Canfield, | 2 |
|-----------|---------------|---|

Mr. Ingalls gave notice that he would move a reconsideration of the last vote.

Mr. Poppleton moved that it be reconsidered now.

Lost.

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of the circuit courts, as follows:

YEAS:

|              |               |                |
|--------------|---------------|----------------|
| Mr. Adams,   | Mr. Griswold, | Mr. Parkhurst, |
| Arnold,      | Gulick,       | Poppleton,     |
| Bailey,      | Haight,       | Ransom,        |
| Bates,       | Hand,         | Reno,          |
| Bonine,      | Haze,         | Renwick,       |
| Canfield,    | Irwin,        | Rider,         |
| Chapel,      | Jennison,     | Root,          |
| Craven,      | Jones,        | Sheldon,       |
| Ellsworth,   | Lathrop,      | Shoemaker,     |
| Ely,         | Lovell,       | Smith,         |
| Fitch,       | Marsh,        | Strang,        |
| Fitzsimmons, | H. Miller,    | Sutherland,    |

Frey,  
Goff,  
Gregory,  
Green,

C. L. Miller,  
Murphy,  
Palmer,

Thompson,  
Warner,  
Speaker, *pro tem.*

46

NAYS: .

0

A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne,

Was read a third time, and

On motion of Mr. Chittenden,

Was indefinitely postponed.

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners,

Was read a third time and passed by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,

Mr. Goff,  
Gregory,  
Green,  
Griswold,  
Haight,  
Haze,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Worden,  
Speaker, *pro tem.*

49

NAYS:

0

The same was then ordered to take immediate effect by the constitutional vote.

A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts, by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Benedict,  
Bonine,  
Burt,

Mr. Gregory,  
Green,  
Griswold,  
Haight,  
Haze,

Mr. Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,

Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
Goff,

Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Parkhurst,

Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Speaker, *pro tem.*

49

NAYS:

0

A bill to provide for an additional circuit court commissioner for the county of Wayne, by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Gale,  
Goff,  
Gregory,

Mr. Green,  
Griswold,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Jennison,  
Lathrop,  
Lovell,  
Matthews,  
H. Miller,  
Mitchell,  
Murphy,  
Norton,  
Parkhurst,

Mr. Poppleton,  
Ransom,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Speaker, *pro tem.*

46

NAYS:

Mr. Chittenden,  
Frey,

Mr. C. L. Miller,

Mr. Toll,

4

The same was then ordered to take immediate effect.

Joint resolution authorizing the Board of State Auditors to settle certain claims against the State, by a majority vote.

A bill to amend section 61 of chapter 14 of the revised statutes, as follows:

YEAS:

Mr. Adams,  
Benedict,  
Bonine,  
Burt,

Mr. Green,  
Griswold,  
Gulick,  
Haze,

Mr. Norton,  
Parkhurst,  
Poppleton,  
Renwick,



Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Gale,  
Goff,  
Gregory,

Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
Mitchell,  
Murphy,

Richardson,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Smith,  
Strang,  
Sutherland,  
Thompson,  
Traver,  
Warner,  
Speaker, *pro tem.*

48

## NAYS:

Mr. Haight,

1

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company, as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
Goff,

Mr. Gregory,  
Green,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
H. Miller,  
Mitchell,  
Murphy,

Mr. Norton,  
Palmer,  
Parkhurst,  
Poppleton,  
Ransom,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Speaker, *pro tem.*

54

## NAYS:

Mr. Renwick,

1

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848, as follows:

## YEAS:

|                |               |                         |
|----------------|---------------|-------------------------|
| Mr. Adams,     | Mr. Gregory,  | Mr. Parkhurst,          |
| Arnold,        | Green,        | Poppleton,              |
| Bailey,        | Griswold,     | Ransom,                 |
| Bates,         | Gulick,       | Renwick,                |
| Benedict,      | Haight,       | Richardson,             |
| Bonine,        | Hand,         | Rider,                  |
| Burt,          | Haze,         | Root,                   |
| Canfield,      | Irwin,        | Seymour,                |
| Chapel,        | Jennison,     | Sherman,                |
| Craven,        | Jones,        | Sheldon,                |
| Davis,         | Lathrop,      | Shoemaker,              |
| Ellsworth,     | Lovell,       | Smith,                  |
| Ely,           | McDougall,    | Strang,                 |
| Ewing,         | McWhorter,    | Thompson,               |
| Fitch,         | Matthews,     | Toll,                   |
| Fitzsimmons,   | H. Miller,    | Traver,                 |
| Frey,          | C. L. Miller, | Warner,                 |
| Gale,          | Mitchell,     | Worden,                 |
| James Gleason, | Norton,       | Speaker <i>pro tem.</i> |
| Goff,          | Palmer,       | 59                      |

NAYS: 0

A bill to amend sections 11, 14 and 21, of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, by the following vote:

## YEAS :

|              |            |                |
|--------------|------------|----------------|
| Mr. Adams,   | Mr. Goff,  | Mr. Poppleton, |
| Arnold,      | Green,     | Ransom,        |
| Bailey,      | Haight,    | Richardson,    |
| Bates,       | Haze,      | Rider,         |
| Benedict,    | Ingalls,   | Seymour,       |
| Bonine,      | Irwin,     | Sheldon,       |
| Burt,        | Jennison,  | Shoemaker,     |
| Canfield,    | Jones,     | Smith,         |
| Craven,      | Lovell,    | Strang,        |
| Davis,       | McDougall, | Thompson,      |
| Ely,         | Mathews,   | Traver,        |
| Fitch,       | Mitchell,  | Warner,        |
| Fitzsimmons, | Murphy,    | Speaker,       |
| Frey,        | Norton,    | 41             |

NAYS :

|             |           |              |
|-------------|-----------|--------------|
| Mr. Chapel, | Mr. Gale, | Mr. Renwick, |
| Ewing,      | Gregory,  | Root,        |
|             |           | 6            |

A bill to amend the charter of the city of Detroit, was taken up for a third reading, when

Mr. Chittenden made a point of order thereon, stating that the same had not been read in committee of the whole, and moved that the bill be recommitted to committee of the whole.

Agreed to.

Mr. Ransom moved a suspension of House rule No. 32, during the remainder of the session.

Agreed to.

The following message was announced from the Senate :

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives :*

SIR—Herewith is returned,

A bill to amend section six of an act to continue for a limited time the charter of the Farmers' & Mechanics' Bank of Michigan,

In which the Senate have concurred with an amendment by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect, and in which amendment the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The amendment was concurred in and the bill ordered enrolled.

The following from the Governor :

EXECUTIVE OFFICE,  
*Lansing, February 12, 1853.* }

*To the Senate and House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act prohibiting the manufacture of intoxicating beverages and the traffic therein;

An act relating to telegraph operators and others ;

An act to provide for the re-survey of the public highways in the county of St. Joseph;

An act to incorporate the village of Hudson.

R. McCLELLAND.

Also the following from the Senate:

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850; and also to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4, 1851;

And I am instructed respectfully to inform the House that the Senate have concurred therein by a two-thirds vote of all the Senators elect.

Also, herewith is transmitted

A bill to incorporate the village of Flint;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

*Sec. Senate.*

The first named bill was referred to committee of the whole, the second named ordered enrolled.

And the following:

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

A bill to provide for the erection of a prison for purpose of solitary confinement, and a house of correction for juvenile offenders, and making appropriations therefor;

Which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bill was read a first and second time, when

Mr. Seymour moved that the bill be now read the third time.

Agreed to.

The bill was then read the third time, when

Mr. Mitchell moved that it be re-committed to the committee on State Prison, with instructions to strike out so much thereof as relates to the erection of a house of correction.

Pending which,

Mr. Frey moved that it be indefinitely postponed.

Agreed to.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 12, 1853.* }

*To the Speaker of the House of Representatives :*

SIR—Herewith is transmitted,

A bill to incorporate the village of Zilwaukie, in the county of Saginaw,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered that the same take immediate effect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The bill was read a first and second time and referred to the committee of the whole.

Mr. Chittenden moved a reconsideration of the vote by which was indefinitely postponed

A bill to provide for the erection of a prison for the purposes of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor.

Agreed to.

On motion of Mr. Chittenden,

The bill was then recommitted to committee on State prison, with instructions to strike out so much thereof as relates to the erection of a house of correction.

The committee soon after reported the bill back amended as instructed, when the same was passed as follows:

## YEAS:

|                |            |                          |
|----------------|------------|--------------------------|
| Mr. Adams,     | Mr. Goff,  | Mr. Mitchell,            |
| Arnold,        | Gregory,   | Poppleton,               |
| Bailey,        | Green,     | Ransom,                  |
| Bates,         | Griswold,  | Renwick,                 |
| Benedict,      | Gulick,    | Richardson,              |
| Burt,          | Haight,    | Root,                    |
| Canfield,      | Haze,      | Seymour,                 |
| Chapel,        | Irwin,     | Sherman,                 |
| Chittenden,    | Jennison,  | Shoemaker,               |
| Craven,        | Lathrop,   | Smith,                   |
| Davis,         | Lovell,    | Strang,                  |
| Ellsworth,     | McDougall, | Thompson,                |
| Ely,           | McWhorter, | Toll,                    |
| Ewing,         | Marsh,     | Traver,                  |
| Fitch,         | Mathews,   | Warner,                  |
| Fitzsimmons,   | H. Miller, | Speaker <i>pro tem</i> , |
| James Gleason, |            | 49                       |

## NAYS:

|             |                   |            |
|-------------|-------------------|------------|
| Mr. Bonine, | Mr. C. L. Miller, | Mr. Rider, |
| Frey,       | Murphy,           | Shelden,   |
| Jones,      | Norton,           | 8          |

On motion of Mr. H. Miller,

The House adjourned until 7 o'clock this evening.

—  
*Evening Session.*

7 o'clock.

House met pursuant to adjournment, and was called to order by Mr. Morton, Speaker *pro tem*.

The roll was called, a quorum found to be present.

On motion of Mr. Fitch,

A committee of two was ordered to be appointed to wait upon the Senate and inform that body that the House were now ready to meet them in joint convention.

Messrs. Fitch and Frey were appointed said committee, who soon after returned, and reported that they had discharged the duty assigned them.

The Senate were then announced, and the Senators conducted to seats provided for them.

## PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum present.

The roll of the House of Representatives was called by the Clerk thereof, and a quorum present.

The President then announced that the two Houses had met in joint convention, for the purpose of electing five trustees of the Michigan Asylums for the education of the deaf, dumb, and blind, and of the Asylum for the insane, for the legal term.

Mr. Ransom moved that the joint convention now proceed to elect said trustees singly.

Agreed to.

The roll of the Senate was then called by the Secretary thereof, and the Senators severally rose in their places and voted as follows :

## FOR SHELDON MC KNIGHT,

|             |             |              |    |
|-------------|-------------|--------------|----|
| Mr. Arzeno, | Mr. Harris, | Mr. Russell, |    |
| Clarke,     | Hixson,     | Snow,        |    |
| Fralick,    | Kent,       | Smith,       |    |
| Goodrich,   | Leonard,    | Stevens,     |    |
| Gould,      | Lyon,       | Stowell,     |    |
| Griswold,   | Moore,      | Twombly,     |    |
| Hall,       | McCauley,   | Wright,      |    |
| Harrington, |             |              | 22 |

## FOR ZINA PITCHER,

|             |              |              |   |
|-------------|--------------|--------------|---|
| Mr. Beeson, | Mr. Gardner, | Mr. Paddock, |   |
| Curtenius,  | McNaughton,  | Pierce,      |   |
| Dickey,     | Newberry,    |              | 8 |

## FOR JOHN MOORE,

|              |  |   |
|--------------|--|---|
| Mr. Johnson, |  | 1 |
|--------------|--|---|

The roll of the House of Representatives was called by the Clerk thereof, and the members severally rose in their places, and voted as follows :

## FOR SHELDON MC KNIGHT,

## YEAS:

|            |              |             |
|------------|--------------|-------------|
| Mr. Adams, | Mr. Ingalls, | Mr. Reno,   |
| Arnold,    | Jennison,    | Richardson, |
| Bailey,    | Jones,       | Rider,      |
| Benedict,  | Lathrop,     | Seymour,    |

Canfield,  
Chittenden,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
J. Gleason,  
Goff,  
Griswold,  
Gulick,  
Hand,  
Haze,

McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Poppleton,  
Ransom,

Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker,

46

## FOR ZINA PITCHER.

Mr. Bates,  
Chapel,  
Craven,  
Ewing,  
Frey,

Mr. Gale,  
Gregory,  
Haight,  
Lovell,  
McWhorter,

Mr. Mathews,  
C. L. Miller,  
Renwick,  
Root,  
Thompson, 15

The President then announced that Sheldon McKnight, having received a majority of all the votes, was duly elected a trustee of the Asylums.

The joint convention then proceeded to the election of another trustee.

The roll of the Senate being called, the Senators severally rose in their places, and voted as follows:

## FOR BELA HUBBARD.

Mr. Arzeno,  
Clarke,  
Fralick,  
Goodrich,  
Gould,  
Griswold,  
Hall,  
Harrington,

Mr. Harris,  
Hixson,  
Johnson,  
Kent,  
Leonard,  
Lyon,  
Moore,  
McCauley,

Mr. Newberry,  
Russell,  
Snow,  
Smith,  
Stevens,  
Stowell,  
Twombly,  
Wright, 24

## FOR STILLMAN BLANCHARD.

Mr. Beeson,  
Curtenius,  
Dickey,

Mr. Gardner,  
McNaughton,

Mr. Paddock,  
Pierce,

7

And on calling the roll of the House of Representatives, the Representatives severally rose in their places, and voted as follows:

## FOR BELA HUBBARD.

Mr. Adams,  
Arnold,  
Bailey,

Mr. Haze,  
Ingalls,  
Jennison,

Mr. Poppleton,  
Ransom,  
Richardson,



Benedict,  
Canfield,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
James Gleason,  
Goff,  
Griswold,  
Gulick,  
Hand,

Jones,  
Lathrop,  
McDougall,  
Marsh,  
H. Miller,  
Mitchell,  
Morton,  
Murphy,  
Norton,  
O'Callaghan,  
Palmer,  
Parkhurst,

Rider,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Warner,  
Worden,  
Speaker,

46

## FOR STILLMAN BLANCHARD.

Mr. Bates,  
Chapel,  
Craven,  
Ewing,  
Frey,

Mr. Gale,  
Gregory,  
Haight,  
Lovell,  
McWhorter,

Mr. Matthews,  
C. L. Miller,  
Renwick,  
Root,  
Thompson,

15

## FOR JAMES J. STRANG.

Mr. Reno,

1

And Bela Hubbard having received a majority of all the votes given, was declared duly elected.

The joint convention then proceeded to the election of a third trustee; and on calling the roll of the Senate, the Senators severally rose in their places, and voted as follows:

## FOR PERLY J. SPAULDING.

Mr. Arzeno,  
Clarke,  
Fralick,  
Goodrich,  
Gould,  
Griswold,  
Hall,  
Harrington,

Mr. Harris,  
Hixon,  
Johnson,  
Kent,  
Leonard,  
Lyon,  
Moore,  
McCauley,

Mr. Newberry,  
Russell,  
Snow,  
Smith,  
Stevens,  
Stowell,  
Twombly,  
Wright,

14

## FOR J. C. FRINK.

Mr. Beeson,  
Curtenias,  
Dickey,

Mr. Gardner,  
McNaughton,

Mr. Paddock,  
Pierce,

7

The roll of the House of Representatives was then called, and the Representatives severally rose in their places, and voted as follows:

## FOR PERLY J. SPAULDING.

|              |              |             |    |
|--------------|--------------|-------------|----|
| Mr. Adams,   | Mr. Haze,    | Mr. Ransom, |    |
| Arnold,      | Ingalls,     | Reno,       |    |
| Bailey,      | Jennison,    | Richardson, |    |
| Benedict,    | Jones,       | Rider,      |    |
| Canfield,    | McDougall,   | Seymour,    |    |
| Craven,      | Marsh,       | Sherman,    |    |
| Davis,       | H. Miller,   | Sheldon,    |    |
| Ely,         | Mitchell,    | Shoemaker,  |    |
| Fitch,       | Morton,      | Smith,      |    |
| Fitzsimmons, | Murphy,      | Strang,     |    |
| J. Gleason,  | Norton,      | Sutherland, |    |
| Goff,        | O'Callaghan, | Toll,       |    |
| Griswold,    | Palmer,      | Traver,     |    |
| Gulick,      | Parkhurst,   | Worden,     |    |
| Hand,        | Poppleton,   | Speaker,    | 45 |

## FOR J. C. FRINK.

|            |             |                   |    |
|------------|-------------|-------------------|----|
| Mr. Bates, | Mr. Haight, | Mr. C. L. Miller, |    |
| Chapel,    | Lovell,     | Renwick,          |    |
| Frey,      | McWhorter,  | Root,             |    |
| Gregory,   | Matthews,   |                   | 11 |

And Perly J. Spaulding having received a majority of all the votes given, was declared duly elected.

The joint convention then proceeded to the election of a fourth trustee.

The roll of the Senate was called, and the Senators severally rose in their places, and voted as follows:

## FOR LAWRENCE VAN DE WALKER.

|             |             |            |    |
|-------------|-------------|------------|----|
| Mr. Arzeno, | Mr. Harris, | Mr. Smith, |    |
| Clarke,     | Johnson,    | Stevens,   |    |
| Fralick,    | Leonard,    | Stowell,   |    |
| Goodrich,   | Lyon,       | Twombly,   |    |
| Griswold,   | McCauley,   | Wright,    |    |
| Hall,       | Russell,    |            | 17 |

## FOR ISRAEL KELLOGG.

|             |                 |               |    |
|-------------|-----------------|---------------|----|
| Mr. Beeson, | Mr. Harrington, | Mr. Newberry, |    |
| Curtenius,  | Hixson,         | Paddock,      |    |
| Dickey,     | Kent,           | Pierce,       |    |
| Gardner,    | Moore,          | Snow,         |    |
| Gould,      | McNaughton,     |               | 14 |

The roll of the House of Representatives was then called, and the Representatives severally rose in their places, and voted as follows:

## FOR LAWRENCE VAN DE WALKER.

|                                                                                                                  |                                                                                                                 |                                                                                                |    |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|----|
| Mr. Chittenden,<br>Ellsworth,<br>Ely,<br>Fitch,<br>Fitzsimmons,<br>James Gleason,<br>Hand,<br>Ingalls,<br>Jones, | Mr. McDougall,<br>Marsh,<br>Morton,<br>Norton,<br>O'Callaghan,<br>Palmer,<br>Poppleton,<br>Reno,<br>Richardson, | Mr. Rider,<br>Sherman,<br>Sheldon,<br>Shoemaker,<br>Sutherland,<br>Toll,<br>Warner,<br>Worden, | 26 |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|----|

## FOR ISRAEL KELLOGG.

|                                                                                                                                            |                                                                                                                                             |                                                                                                                                                   |    |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Mr. Adams,<br>Arnold,<br>Bailey,<br>Bates,<br>Benedict,<br>Bonine,<br>Canfield,<br>Chapel,<br>Craven,<br>Davis,<br>Frey,<br>Gale,<br>Goff, | Mr. Gregory,<br>Green,<br>Griswold,<br>Gulick,<br>Haight,<br>Haze,<br>Irwin,<br>Jennison,<br>Lathrop,<br>Lovell,<br>McWhorter,<br>Matthews, | Mr. H. Miller,<br>C. L. Miller,<br>Mitchell,<br>Ransom,<br>Renwick,<br>Root,<br>Seymour,<br>Smith,<br>Strang,<br>Thompson,<br>Traver,<br>Speaker, | 37 |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----|

And Israel Kellogg having received a majority of all the votes given, was declared duly elected.

The joint convention then proceeded to the election of a fifth trustee.

On calling the roll of the Senate, the Senators severally rose in their places and voted as follows:

## FOR JAMES B. WALKER.

|                                                                                                |                                                                                         |                                                                                             |    |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----|
| Mr. Arzeno,<br>Clarke,<br>Fralick,<br>Goodrich,<br>Gould,<br>Griswold,<br>Hall,<br>Harrington, | Mr. Harris,<br>Hixson,<br>Johnson,<br>Kent,<br>Leonard,<br>Lyon,<br>Moore,<br>McCauley, | Mr. Newberry,<br>Russell,<br>Snow,<br>Smith,<br>Stevens,<br>Stowell,<br>Twombly,<br>Wright, | 24 |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----|

## FOR GEORGE H. HAZLETON.

|                           |                             |                         |   |
|---------------------------|-----------------------------|-------------------------|---|
| Mr. Curtenius,<br>Dickey, | Mr. Gardner,<br>McNaughton, | Mr. Paddock,<br>Pierce, | 6 |
|---------------------------|-----------------------------|-------------------------|---|

The roll of the House of Representatives was then called, when the Representatives severally rose in their places, and voted as follows:

## FOR JAMES B. WALKER.

|              |             |                |    |
|--------------|-------------|----------------|----|
| Mr. Adams,   | Mr. Gulick, | Mr. Poppleton, |    |
| Arnold,      | Hand,       | Ransom,        |    |
| Bailey,      | Haze,       | Richardson,    |    |
| Benedict,    | Jennison,   | Rider,         |    |
| Canfield,    | Jones,      | Seymour,       |    |
| Davis,       | Lathrop,    | Sheldon,       |    |
| Ellsworth,   | McDougall,  | Shoemaker,     |    |
| Ely,         | Marsh,      | Smith,         |    |
| Fitzsimmons, | H. Miller,  | Strang,        |    |
| Gale,        | Mitchell,   | Sutherland,    |    |
| J. Gleason,  | Morton,     | Toll,          |    |
| Goff,        | Norton,     | Traver,        |    |
| Green,       | Palmer,     | Speaker,       |    |
| Griswold,    |             |                | 40 |

## FOR GEORGE H. HAZLETON.

|             |            |                   |   |
|-------------|------------|-------------------|---|
| Mr. Chapel, | Mr. Irwin, | Mr. C. L. Miller, |   |
| Ewing,      | McWhorter, | Renwick,          |   |
| Haight,     | Matthews,  | Thompson,         | 9 |

## FOR LAWRENCE VAN DE WALKER.

|             |           |                  |   |
|-------------|-----------|------------------|---|
| Chittenden, | Mr. Reno, | Mr. O'Callaghan, |   |
| Murphy,     |           |                  | 4 |

## FOR MR. MITCHELL.

|            |              |  |   |
|------------|--------------|--|---|
| Mr. Fitch, | Mr. Sherman, |  | 2 |
|------------|--------------|--|---|

## FOR FERRIS S. FITCH.

|              |           |  |   |
|--------------|-----------|--|---|
| Mr. Gregory, | Mr. Root, |  | 2 |
|--------------|-----------|--|---|

## FOR A. H. STOWELL.

|            |  |  |   |
|------------|--|--|---|
| Mr. Bates, |  |  | 1 |
|------------|--|--|---|

## FOR ALEXANDER EWING.

|             |  |  |   |
|-------------|--|--|---|
| Mr. Craven, |  |  | 1 |
|-------------|--|--|---|

## FOR JAMES J. STRANG.

|            |  |  |   |
|------------|--|--|---|
| Mr. Irwin, |  |  | 1 |
|------------|--|--|---|

## FOR WM. H. GREGORY.

|             |  |  |   |
|-------------|--|--|---|
| Mr. Worden, |  |  | 1 |
|-------------|--|--|---|

James B. Walker having received a majority of all the votes given, was declared duly elected; when,

On motion of Senator Dickey,

The joint convention adjourned without day.

O. W. MOORE,

*Sec'y of Senate.*

D. P. BUSHNELL,

*Clerk House of Rep's.*

*Sec'ys of Joint Convention.*

The House was called to order by the Speaker *pro tempore*, who announced that the two Houses had, in joint convention, elected Sheldon McKnight, Bela Hubbard, Perly J. Spaulding, Israel Kellogg and James B. Walker, as Trustees of the Michigan Asylums for the deaf, dumb and blind, and of the insane, for the legal term.

Mr. Haight moved that the House adjourn. Lost as follows :

YEAS.

Mr. Bates,  
Bonine,  
Chittenden,  
Craven,  
Ewing,  
Fitch,  
Frey,  
James Gleason,  
Haight,

Mr. Haze,  
Ingalls,  
Irwin,  
Lathrop,  
Marsh,  
H. Miller,  
C. L. Miller,  
Norton,  
O'Callaghan,

Mr. Reno,  
Renwick,  
Rider,  
Sherman,  
Thompson,  
Toll,  
Warner,  
Worden,

26

NAYS.

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Canfield,  
Chapel,  
Davis,  
Ellsworth,  
Ely,  
Fitzsimmons,  
Gale,  
Goff,

Mr. Gregory,  
Green,  
Gulick,  
Hand,  
Jennison,  
Jones,  
Lovell,  
McDougall,  
McWhorter,  
Matthews,  
Mitchell,  
Palmer,

Mr. Poppleton,  
Ransom,  
Richardson,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Traver,  
Speaker *pro tem*

35

MESSAGES.

The following message was announced from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 12, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act supplementary to an act entitled an act relative to surplus funds in the State Treasury, being House bill of present session No. 73.

An act to amend act No. 90, of the session laws of 1851, entitled an act to incorporate the village of Mount Clemens, approved April 4, 1851.

R. McCLELLAND.

Also the following from the Senate :

SENATE CHAMBER, }  
Lansing, Feb. 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted,

A bill to amend section 3 of an act entitled an act to incorporate the Paw Paw and Allegan Plank Road Company, approved March 25, 1850;

A bill to amend section 2 of an act entitled an act to incorporate the Paw Paw Plank Road Company ;

A bill to amend section 4 of an act entitled an act relative to plank roads, approved March 13, 1848, and all acts amendatory thereto ;

All of which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Sec'y Senate.*

The bills were severally twice read, and referred to the order of third reading of bills.

Also the following:

SENATE CHAMBER, }  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

Preamble and joint resolution relative to certain State building lands,

In which the Senate have concurred with an amendment, by a majority vote of all the Senators elect, and in which amendment the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec'y of Senate.*

The amendment of the Senate was concurred in, and the bill as amended ordered enrolled.

Mr. Gregory, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for the payment of specific taxes to counties in the Upper Peninsula; also,

An act to amend section 6 of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan; also,

An act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850, and also, to amend an act entitled an act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4, 1851; also,

An act to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof; also,

An act to complete the judicial organization of the State; also,

An act to amend sections 2, 27, 39 and 40 of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ely offered the following resolution:

*Resolved*, That when this House adjourn, it adjourn to meet tomorrow morning at nine o'clock.

Mr. Chittenden moved to amend by inserting "11."

Mr. Seymour moved to amend so as to adjourn till 8 o'clock Monday morning.

Pending which,

On motion of Mr. Ely,

The whole subject was laid on the table.

Mr. Chittenden moved that the House adjourn.

Lost.

Mr. H. Miller offered the following resolution:

*Resolved*, That the Secretary of State be instructed to forward to each member of this House, as soon as convenient, in the usual mode of transporting public documents, the remaining 3,400 copies of the reports of the Superintendent of Public Instruction for 1853, in equal proportion to each member.

Mr. Sherman moved that they be sent by express.

Lost.

Mr. Shoemaker then moved to lay on the table.

Agreed to.

Mr. Gale moved to rescind the order for printing the report of the Superintendent of Public Instruction.

Lost.

Mr. Shoemaker moved that House bill No. 71, authorizing the construction of the Mackinac road, be taken from the general order and referred to the order of the third reading of bills.

Agreed to.

The bill was then read the third time; when,

On motion of Mr. Strang,

The blank in section 3, in line 1, was filled with "one-third."

Mr. Davis moved a call of the House.

Lost.

The bill was then passed, by the following vote:

YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Goff,  
Gregory,

Mr. Green,  
Hand,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Matthews,  
Mitchell,  
Murphy,  
Norton,

Mr. Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Richardson,  
Rider,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Warner,



## NAYS:

Mr. Bates,  
Chapel,  
Frey,  
Gale,  
Haight,

Mr. Lovell,  
H. Miller,  
C. L. Miller,  
Renwick,

Mr. Seymour,  
Traver,  
Worden,  
Speaker,

13

And ordered by the constitutional majority to take immediate effect.

Mr. Ely moved that the bill authorizing the construction of the Bay De Noquet road, in the Upper Peninsula, be taken from the general order and put upon its third reading.

Lost.

Mr. Frey moved that the House adjourn.

Lost.

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may, or may have occurred in that office, was then read the third time and passed, by the following vote:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bonine,  
Canfield,  
Craven,  
Davis,  
Ellsworth,  
Fitch,  
Fitzsimmons,  
Frey,  
Goff,  
Gulick,

Mr. Hand,  
Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
Lovell,  
McWhorter,  
Mitchell,  
Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,

Mr. Ransom,  
Reno,  
Rider,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Traver,  
Warner,  
Worden,  
Speaker, *pro tem.*

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## NAYS:

Bates,  
Chapel,  
Ely,  
Ewing,  
Gale,

Mr. Haight,  
Haze,  
McDougall,  
H. Miller,  
C. L. Miller,

Mr. Renwick,  
Root,  
Sherman,  
Thompson,  
Toll,

15

Mr. Ewing gave notice that on Monday next he would move to reconsider the vote by which Senate bill No. 11 was passed.

Mr. H. Miller moved that the House adjourn.

Lost.

A bill making appropriations for the State Normal School,

Was then read the third time and passed by the following vote:

YEAS :

|              |            |                |
|--------------|------------|----------------|
| Mr. Adams,   | Mr. Goff,  | Mr. Parkhurst, |
| Arnold,      | Gregory,   | Poppleton,     |
| Bailey,      | Green,     | Ransom,        |
| Bates,       | Gulick,    | Renwick,       |
| Benedict,    | Haight,    | Richardson,    |
| Bonine,      | Hand,      | Rider,         |
| Canfield,    | Haze,      | Seymour,       |
| Chapel,      | Ingalls,   | Sheldon,       |
| Craven,      | Jennison,  | Shoemaker,     |
| Davis,       | Jones,     | Smith,         |
| Ellsworth,   | Lathrop,   | Strang,        |
| Ewing,       | McDougall, | Sutherland,    |
| Fitch,       | McWhorter, | Toll,          |
| Fitzsimmons, | Matthews,  | Warner,        |
| Frey,        | Mitchell,  |                |

44

NAYS :

|               |             |                          |
|---------------|-------------|--------------------------|
| Mr. Gale,     | Mr. Norton, | Worden,                  |
| Lovell,       | Traver,     | Speaker, <i>pro tem.</i> |
| C. L. Miller, |             | 7                        |

A bill to establish an agricultural school, was then taken up; when Mr. Fitch moved a call of the House.

Call ordered.

The roll was called, when it appeared that Messrs. Burt, Ingalls Murphy, Palmer and Thompson were absent without leave; when,

On motion of Mr. Worden,

All further proceedings under the call were dispensed with, when Mr. H. Miller moved,

That the bill be indefinitely postponed.

After some discussion, he withdrew his motion and moved that it be laid on the table.

Agreed to.

The following message was then announced from the Senate :

SENATE CHAMBER, }  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to provide for assessing property at its true cash value, and for levying and collecting taxes thereon ;

In which the Senate have concurred with an amendment, by a majority vote, and have by a vote of two-thirds of all the Senators elect, ordered the same as amended to take immediate effect, and in which amendment the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

*Sec. Senate.*

The amendment was concurred in, and the bill as amended ordered enrolled.

Mr. Miller then moved that the House adjourn.

Lost as follows :

YEAS:

|              |            |                   |    |
|--------------|------------|-------------------|----|
| Mr. Chapel,  | Mr. Hand,  | Mr. C. L. Miller, |    |
| Chittenden,  | Haze,      | Murphy,           |    |
| Ely,         | Lovell,    | Norton,           |    |
| Ewing,       | McWhorter, | O'Callaghan,      |    |
| Fitzsimmons, | Marsh,     | Parkhurst,        |    |
| Frey,        | Matthews,  | Reno,             |    |
| Gale,        | H. Miller, | Renwick,          | 21 |

NAYS:

|                |            |                          |    |
|----------------|------------|--------------------------|----|
| Mr. Adams,     | Mr. Goff,  | Mr. Seymour,             |    |
| Arnold,        | Gregory,   | Sherman,                 |    |
| Bailey,        | Gulick,    | Sheldon,                 |    |
| Benedict,      | Ingalls,   | Shoemaker,               |    |
| Bonine,        | Jones,     | Smith,                   |    |
| Canfield,      | McDougall, | Strang,                  |    |
| Craven,        | Mitchell,  | Sutherland,              |    |
| Davis,         | Poppleton, | Traver,                  |    |
| Ellsworth,     | Ransom,    | Worden,                  |    |
| Fitch,         | Root,      | Speaker <i>pro tem</i> , |    |
| James Gleason, |            |                          | 31 |

Mr. Fitch moved to take from the table the bill to establish an agricultural school.

Agreed to by the following vote :

YEAS:

|             |              |                 |
|-------------|--------------|-----------------|
| Mr. Bates,  | Mr. Ingalls, | Mr. Richardson, |
| Chittenden, | Jennison,    | Root,           |
| Craven,     | Jones,       | Seymour,        |
| Davis,      | Lathrop,     | Sherman,        |
| Ellsworth,  | McWhorter,   | Shoemaker,      |
| Fitch,      | Mitchell,    | Strang,         |
| J. Gleason, | O'Callaghan, | Sutherland,     |

Goff,  
Gregory,  
Gulick,

Parkhurst,  
Ransom,  
Reno,

Toll,  
Traver,  
Speaker, *pro tem.*

40

## NAYS:

Mr. Adams,  
Arnold,  
Bailey,  
Benedict,  
Bonine,  
Canfield,  
Chapel,  
Fitzsimmons,  
Frey,

Mr. Green,  
Haight,  
Hand,  
Haze,  
Lovell,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,

Mr. C. L. Miller,  
Murphy,  
Norton,  
Poppleton,  
Renwick,  
Rider,  
Sheldon,  
Smith,

26

Mr. H. Miller then moved that the bill be indefinitely postponed.

Lost, as follows:

## YEAS :

Mr. Arnold,  
Benedict,  
Bonine,  
Canfield,  
Chapel,  
Davis,  
Ewing,  
Fitzsimmons,

Mr. Frey,  
Haight,  
Hand,  
Haze,  
Lovell,  
McDougall,  
Marsh,  
H. Miller,

Mr. C. L. Miller,  
Murphy,  
Norton,  
Poppleton,  
Renwick,  
Rider,  
Sheldon,  
Smith,

24

## NAYS :

Mr. Adams,  
Bailey,  
Chittenden,  
Craven,  
Ellsworth,  
Ely,  
Fitch,  
J. Gleason,  
Goff,  
Gregory,  
Green,  
Gulick,

Mr. Ingalls,  
Irwin,  
Jennison,  
Jones,  
Lathrop,  
McWhorter,  
Matthews,  
Mitchell,  
O'Callaghan,  
Parkhurst,  
Ransom,  
Reno,

Mr. Richardson,  
Root,  
Seymour,  
Sherman,  
Shoemaker,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker, *pro tem.*

36

Mr. Griswold, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for draining certain swamp lands.

On motion of Mr. H. Miller,

The House adjourned.

*Lansing, February 14, 1853.*

The House met pursuant to adjournment and was called to order by Mr. Morton, Speaker *pro tempore*.

Prayer by the Rev. Mr. Chatfield.

The roll was called and a quorum found to be present.

Mr. Smith, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred sundry petitions from citizens of Ionia and Kent counties, asking an investigation into the expenditure of seven thousand acres of land appropriated for the improvement of the Detroit and Grand River road by the Legislature of 1848, act 155, would respectfully report that the limited time remaining of the present session, precludes the possibility of a proper investigation. The committee also respectfully report the following resolution :

*Resolved*, That the Attorney General be instructed to institute an investigation into the matters contained in said petitions, and to institute such proceedings as the case may require, and that the testimony be taken before the circuit court commissioner of Ionia county.

Mr. Ellsworth moved to lay the report and petitions on the table.

Lost.

Mr. Ellsworth then moved to indefinitely postpone the whole subject.

Mr. Ransom, from the judiciary committee, submitted the following report :

The committee on the judiciary, to whom was referred a Senate bill to amend sections 54, 55, 56, 59 and 60 of chapter 93, of the revised statutes of 1846, relative to proceedings in justices' courts ;

And also a Senate bill, relative to what evidence may be given in actions for the recovery of lands, tenements, or real estate;

Have had the same under consideration, and report them back without action and beg to be discharged.

The report was accepted and the committee discharged, and the bills severally ordered to be laid on the table.

The Speaker *pro tem* announced the following message from the Senate :

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned

A bill to amend an act entitled an act to amend section 107 of chapter 58 of the revised statute of 1846 and the acts amendatory thereto, relative to primary schools, approved April 7, 1851 ;

In which the Senate have concurred by a vote of a majority of the Senators elect, and have ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

O. W. MOORE,

*Sec'y Senate.*

The bill was ordered to be enrolled.

Also the following :

SENATE CHAMBER,  
Lansing, February 12, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted

Joint resolution relative to printing acts of the Legislature of 1853, in relation to the St. Mary's Canal, which the Senate have adopted by a majority of all the Senators elect, in which the concurrence of the House is respectfully asked.

I am also instructed to inform the House that the Senate have concurred in the House amendments to the bill entitled

A bill in aid of the Michigan Asylums; and have ordered the same to be enrolled.

Very Respectfully &c.,

O. W. MOORE,

*Sec'y Senate.*

A suspension of the rules was ordered, and the joint resolution passed.

And the following:

SENATE CHAMBER,  
Lansing, Feb. 14, 1853. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is returned,

A bill to amend sections 1, 4 and 6 of an act to provide for a State board of equalization;

In which the Senate have concurred by the adoption of a substitute by a majority vote, and the concurrence of the House in the substitute is respectfully asked.

Respectfully, &c.,

O. W. MOORE,

*Secretary Senate.*

The substitute was concurred in, and the same ordered enrolled.

Mr. Fitch moved to take from the table, the bill to establish an agricultural school; which motion,

On motion of Mr. H. Miller,

Was laid on the table by the following vote:

YEAS:

|               |               |               |    |
|---------------|---------------|---------------|----|
| Mr. Benedict, | Mr. Green,    | Mr. Mitchell, |    |
| Bristol,      | Haight,       | Murphy,       |    |
| Bonine,       | Hand,         | Norton,       |    |
| Burt,         | Haze,         | Palmer,       |    |
| Canfield,     | Jennison,     | Poppleton,    |    |
| Chapel,       | Lovell,       | Renwick,      |    |
| Ewing,        | McDougall,    | Rider,        |    |
| Fitzsimmons,  | Marsh,        | Sheldon,      |    |
| Frey,         | Matthews,     | Shoemaker,    |    |
| Gale,         | H. Miller,    | Smith,        |    |
| Gregory,      | C. L. Miller, | Thompson,     | 33 |

NAYS:

|             |             |                          |    |
|-------------|-------------|--------------------------|----|
| Mr. Arnold, | Mr. Gulick, | Mr. Seymour,             |    |
| Bates,      | Ingalls,    | Sherman,                 |    |
| Craven,     | Irwin,      | Strang,                  |    |
| Davis,      | Jones,      | Sutherland,              |    |
| Ellsworth,  | Lathrop,    | Toll,                    |    |
| Fitch,      | McWhorter,  | Traver,                  |    |
| J. Gleason, | Ransom,     | Warner,                  |    |
| Goff,       | Richardson, | Speaker, <i>pro tem.</i> |    |
|             |             |                          | 25 |

Mr. Frey moved that Senate bill making an appropriation for the State Agricultural Society, be taken from the general order and put on its final passage.

Mr. Chittenden moved to lay the motion of Mr. Frey on the table.

Lost.

Mr. Ellsworth moved to indefinitely postpone.

Lost.

The question then being on the motion of Mr. Frey,

Mr. Sutherland moved the previous question thereon; but the demand for the previous question was not seconded.

Mr. Frey's motion then prevailed, by the following vote:

## YEAS:

|                                                                                                                             |                                                                                                                               |                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Mr. Adams,<br>Arnold,<br>Bates,<br>Bristol,<br>Bonine,<br>Canfield,<br>Craven,<br>Davis,<br>Ewing,<br>Fitzsimmons,<br>Frey, | Mr. Gale,<br>Goff,<br>Green,<br>Haight,<br>Haze,<br>Irwin,<br>Lovell,<br>McWhorter,<br>C. L. Miller,<br>Murphy,<br>Poppleton, | Mr. Ransom,<br>Renwick,<br>Richardson,<br>Root,<br>Seymour,<br>Shoemaker,<br>Smith,<br>Sutherland,<br>Traver,<br>Worden, |
|                                                                                                                             |                                                                                                                               | 32                                                                                                                       |

## NAYS:

|                                                                                                        |                                                                                                                 |                                                                                                            |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Mr. Bailey,<br>Burt,<br>Chapel,<br>Chittenden,<br>Ellsworth,<br>Ely,<br>Fitch,<br>Gregory,<br>Ingalls, | Mr. Jennison,<br>Jones,<br>Lathrop,<br>McDougall,<br>Matthews,<br>H. Miller,<br>Mitchell,<br>Norton,<br>Palmer, | Mr. Rider,<br>Sherman,<br>Sheldon,<br>Strang,<br>Thompson,<br>Toll,<br>Warner,<br>Speaker, <i>pro tem.</i> |
|                                                                                                        |                                                                                                                 | 26                                                                                                         |

Mr. Ely then moved the indefinite postponement of the bill; upon which,

Mr. Mitchell moved the previous question.

The demand for the previous question was seconded, and the main question ordered to be now put.

The main question being on the indefinite postponement of the bill, the House refused to indefinitely postpone, by the following vote:

## YEAS:

|                                                                   |                                                                                 |                                                        |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------------|
| Mr. Bailey,<br>Benediot,<br>Ellsworth,<br>Ely,<br>Fitch,<br>Goff, | Mr. Ingalls,<br>McDougall,<br>H. Miller,<br>Mitchell,<br>Poppleton,<br>Renwick, | Mr. Rider,<br>Strang,<br>Thompson,<br>Toll,<br>Warner, |
|                                                                   |                                                                                 | 17                                                     |

## NAYS:

|                                 |                                 |                                          |
|---------------------------------|---------------------------------|------------------------------------------|
| Mr. Adams,<br>Arnold,<br>Bates, | Mr. Gale,<br>Gregory,<br>Green, | Mr. Norton,<br>O'Callaghan<br>Parkhurst, |
|---------------------------------|---------------------------------|------------------------------------------|



Bristol,  
Bonine,  
Canfield,  
Chapel,  
Chittenden,  
Craven,  
Davis,  
Ewing,  
Fitzsimmons,  
Frey,

Gulick,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Lovell,  
Matthews,  
C. L. Miller,  
Murphy,

Ransom,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Traver,  
Worden,  
Speaker, *pro tem.*

39

The bill was then read the third time and passed, as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Bristol,  
Bonine,  
Canfield,  
Craven,  
Davis,  
Ewing,  
Fitzsimmons,  
Frey,

Mr. Green,  
Gulick,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Lathrop,  
Lovell,  
McWhorter,  
Marsh,  
Matthews,

Mr. C. L. Miller,  
Murphy,  
Norton,  
O'Callaghan,  
Parkhurst,  
Poppleton,  
Ransom,  
Seymour,  
Shoemaker,  
Smith,  
Worden,  
Speaker, *pro tem.* 36

## NAYS:

Mr. Benedict,  
Chapel,  
Ellsworth,  
Ely,  
Fitch,  
Goff,  
Gregory,

Mr. Ingalls,  
Jones,  
McDougall,  
H. Miller,  
Renwick,  
Rider,  
Sherman,

Mr. Sheldon,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,

20

And the Speaker *pro tempore* announced that a majority of the whole House having voted for the passage of the bill, the same was declared passed.

Mr. Strang appealed from the decision of the Chair.

And the question being taken, "shall the decision of the Chair stand as the judgment of the House?" the same was decided affirmatively, as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,

Mr. Gale,  
Green,  
Griswold,

Mr. Murphy,  
Palmer,  
Poppleton,

Bristol,  
Bonine,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitzsimmons,  
Frey,

Gulick,  
Haight,  
Hand,  
Haze,  
Matthews,  
Jennison,  
Lathrop,  
Lovell,  
McWhorter,  
C. L. Miller,  
Mitchell,

Ransom,  
Reno,  
Richardson,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Worden,

41

## NAYS:

Mr. Bailey,  
Benedict,  
Chapel,  
Fitch,  
Goff,  
Gregory,

Mr. Ingalls,  
Irwin,  
Jones,  
McDougall,  
H. Miller,  
Renwick,

Mr. Rider,  
Strang,  
Thompson,  
Toll,  
Warner,

17

Mr. Fitch moved to take from the table and put upon its final passage, a bill to organize the county of Cheboygan.

Mr. Ely moved to amend, so as to include the bill to organize the county of Delta.

Agreed to.

Said bills were then severally read the third time and passed, the first named by the following vote :

## YEAS.

Mr. Arnold,  
Bailey,  
Benedict,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Fitzsimmons,  
Frey,  
Goff,

Mr. Gulick,  
Haze,  
Ingalls,  
Irwin,  
Jones,  
Lovell,  
McDougall,  
H. Miller,  
Mitchell,  
Murphy,  
O'Callaghan,  
Poppleton,  
Ransom,  
Renwick,

Mr. Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Toll,  
Traver,  
Worden,  
Speaker *pro tem*,

43

## NAYS.

Gale,

1

The second named by the following :

YEAS :

|              |              |                          |
|--------------|--------------|--------------------------|
| Mr. Arnold,  | Mr. Hand,    | Mr. Palmer,              |
| Bailey,      | Haze,        | Poppleton,               |
| Bristol,     | Ingalls,     | Ransom,                  |
| Bonine,      | Jennison,    | Reno,                    |
| Canfield,    | Jones,       | Renwick,                 |
| Chapel,      | Lathrop,     | Richardson,              |
| Craven,      | McDougall,   | Seymour,                 |
| Ely,         | Mathews,     | Sherman,                 |
| Fitch,       | H. Miller,   | Strang,                  |
| Fitzsimmons, | Mitchell,    | Traver,                  |
| Goff,        | Murphy,      | Worden,                  |
| Gulick,      | O'Callaghan, | Speaker <i>pro tem</i> , |
| Haight,      |              | 37                       |

NAYS:

0

Messrs. Marsh and Griswold, from the committee upon engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for approval,

An act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road ; also,

An act to amend an act entitled an act to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848 ; also,

An act appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia; and

A joint resolution relating to certain State buildings; also,

An act to provide for assessing property at its true value, and for levying and collecting taxes thereon; also,

An act to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851; also,

An act to provide for a meeting of the State Board of Equalization in 1853; also,

Preamble and joint resolution relative to certain State primary school lands.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
Lansing, Feb. 14, 1853. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

Preamble and joint resolution relative to certain State building lands;

An act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road;

An act to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851;

An act appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia;

An act to amend an act entitled an act to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848;

An act to provide for a meeting of the State Board of Equalization in 1853, and

An act to provide for assessing property at its true value, and for levying and collecting taxes thereon.

R. McCLELLAND.

Mr. Worden moved to take from the table

A bill to amend the charter of the city of Detroit, relative to supplying the city with pure and wholesome water,

And to put the same on its final passage.

Agreed to.

The bill was then read the third time, when

Mr. Reno moved to re-commit the same to the committee on banks and incorporations, with instructions to add the following proviso at the end of section:

*Provided*, That the foregoing law be laid before the citizens and legal voters at the next Detroit city charter election, and if a majority of the said voters shall vote yeas on said question, it shall be adopted, and it shall become a law on the first day of June, 1853; if the contrary, it shall be repealed.

Lost.

Mr. Norton then moved the previous question,

Which was seconded, and the main question ordered to be now put.

The main question being on the final passage of the bill, the same was passed as follows:

## YEAS:

Mr. Adams,  
Arnold,  
Bates,  
Benedict,  
Bristol,  
Bonine,  
Burt,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitzsimmons,  
Frey,  
Gale,  
Goff,

Mr. Gregory,  
Green,  
Griswold,  
Gulick,  
Haight,  
Hand,  
Haze,  
Ingalls,  
Jones,  
Lathrop,  
McDougall,  
McWhorter,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,

Mr. Mitchell,  
Murphy,  
Norton,  
Palmer,  
Poppleton,  
Ransom,  
Renwick,  
Rider,  
Seymour,  
Shelden,  
Strang,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Worden,

49

## NAYS:

Mr. Chittenden,  
Fitch,

Mr. Jennison,  
Reno,

Mr. Smith,  
Speaker *pro tem.* 6

Mr. Marsh offered the following resolution :

*Resolved.* By the House of Representatives of the State of Michigan : That Digby V. Bell, Jr., be allowed twenty dollars for preparing for publication the manual of the Legislature of 1853.

Adopted.

Mr. Ransom offered the following :

*Resolved* That so much of the resolution of this House, adopted on the 12th inst., as authorizes the payment to the reporter of this House, for a longer period than 41 days, be and the same is hereby rescinded.

Adopted.

Mr. Mitchell moved to put on the order of their third reading,

A bill supplementary to an act to define the limits, jurisdiction and powers of circuit courts, &c. ;

A bill to amend sections 17 and 18 of chapter 103 of the revised statutes of 1846 ; and

A bill to amend section 2 of chapter 103 of the revised statutes of 1846, relative to trials of issues of fact.

Agreed to.

Said bills were then severally read the third time and passed.

The first named as follows :

YEAS :

|                |            |                          |
|----------------|------------|--------------------------|
| Mr. Adams,     | Mr. Goff,  | Mr. Parkhurst,           |
| Arnold,        | Green,     | Poppleton,               |
| Bates,         | Gulick,    | Ransom,                  |
| Bristol,       | Hand,      | Richardson,              |
| Burt,          | Haze,      | Rider,                   |
| Canfield,      | Irwin,     | Sherman,                 |
| Craven,        | Jennison,  | Sheldon,                 |
| Davis,         | Jones,     | Shoemaker,               |
| Ellsworth,     | Lathrop,   | Smith,                   |
| Ewing,         | McDougall, | Strang,                  |
| Fitch,         | McWhorter, | Sutherland,              |
| Fitzsimmons,   | Matthews,  | Traver,                  |
| Frey,          | H. Miller, | Warner,                  |
| Gale,          | Mitchell,  | Speaker, <i>pro tem.</i> |
| James Gleason, | Norton,    | 44                       |

NAYS :

|              |        |   |
|--------------|--------|---|
| Mr. Ingalls, | Marsh, | 2 |
|--------------|--------|---|

The second by the following vote :

YEAS :

|              |                    |                         |
|--------------|--------------------|-------------------------|
| Mr. Adams,   | Mr. James Gleason, | Mr. Marsh,              |
| Arnold,      | Goff,              | Mathews,                |
| Bates,       | Gregory,           | H. Miller,              |
| Benedict,    | Green,             | Mitchell,               |
| Bristol,     | Griswold,          | Murphy,                 |
| Bonine,      | Gulick,            | Norton,                 |
| Burt,        | Haight,            | Parkhurst,              |
| Canfield,    | Hand,              | Poppleton,              |
| Davis,       | Haze,              | Ransom,                 |
| Ellsworth,   | Ingalls,           | Richardson,             |
| Ely,         | Irwin,             | Seymour,                |
| Ewing,       | Jennison,          | Shoemaker,              |
| Fitch,       | Lathrop,           | Smith,                  |
| Fitzsimmons, | Lovell,            | Toll,                   |
| Frey,        | McDougall,         | Speaker <i>pro tem.</i> |
| Gale,        |                    | 46                      |

## NAYS :

Mr. Jones,

Mr. Strang,

2

And the third by the following vote :

## YEAS:

Mr. Adams,

Mr. Gregory,

Mr. Murphy,

Arnold,

Green,

Norton,

Benedict,

Gulick,

Poppleton,

Bristol,

Haight,

Richardson,

Bonine,

Hand,

Seymour,

Burt,

Haze,

Sherman,

Canfield,

Irwin,

Smith,

Chapel,

Jennison,

Strang,

Davis,

McDougall,

Sutherland,

Ellsworth,

McWhorter,

Thompson,

Ely,

H. Miller,

Warner,

Ewing,

Mitchell,

Speaker *pro tem.*

Fitch,

37

## NAYS:

Mr. Craven,

Mr. Jones,

Mr. C. L. Miller,

Gale,

Lovell,

Renwick,

Ingalls,

7

Mr. Arnold moved to take up Senate bill No. 95, being a bill to amend sections 1 and 2 of an act authorizing the commissioner of the State land office to sell certain primary school lands, and put the same on its final passage.

Agreed to.

The bill was then read the third time and passed by the following vote :

## YEAS :

Mr. Adams,

Mr. Goff,

Mr. Murphy,

Arnold,

Gregory,

Parkhurst,

Benedict,

Green,

Poppleton,

Bristol,

Griswold,

Ransom,

Burt,

Haight,

Renwick,

Canfield,

Hand,

Richardson,

Chapel,

Haze,

Rider,

Craven,

Jennison,

Seymour,

Davis,

Lathrop,

Sherman,

Ellsworth,

Lovell,

Shoemaker,

Ely,

McWhorter,

Smith,

Ewing,

Mathews,

Strang,

Fitch,

H. Miller,

Speaker, *pro tem.*

Fitzsimmons,

James Gleason,

41

## NAYS :

0

The following message was announced from the Governor :

EXECUTIVE OFFICE,  
Lansing, Feb. 12, 1853. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section 6 of an act to continue for a limited time the charter of the Farmers' & Mechanics' Bank of Michigan ;

An act to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof :

An act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2d, 1850 ; and also to amend an act entitled an act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4, 1851 ;

An act to provide for the payment of specific taxes to the counties in the Upper Peninsula ;

An act to complete the judicial organization of the State ;

An act to amend sections 2, 27, 39 and 40 of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851.

R. McCLELLAND.

Mr. Sherman moved to take up Senate bill to amend section 7 chapter 72 of the Revised Statutes of 1846, and put it on its final passage.

Agreed to.

And the bill was read the third time and passed by the following vote :

YEAS :

Mr. Adams,  
Arnold,  
Bailey,  
Bates,  
Benedict,  
Bristol,  
Canfield,  
Chapel,  
Craven,  
Davis,  
Ellsworth,

Mr. Gale,  
J. Gleason,  
Goff,  
Griswold,  
Gulick,  
Haight,  
Haze,  
Ingalls,  
Irwin,  
Jennison,  
Lathrop,

Mr. C. L. Miller,  
Mitchell,  
Murphy,  
Parkhurst,  
Poppleton,  
Richardson,  
Seymour,  
Sherman,  
Shoemaker,  
Smith,  
Strang,



Ely,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,

McDougall,  
McWhorter,  
Matthews,  
H. Miller,

Sutherland,  
Toll,  
Warner,  
Speaker, *pro tem.*

47

## NAYS:

0

And on motion of Mr. Sherman,

Ordered by a constitutional vote that the same take immediate effect.

Mr. Fitch moved to take up Senate bill to authorize the State officers to convey certain State lands to the First Universalist Church in the village of Lansing, and put the same on its final passage.

Agreed to.

And the bill was read the third time and passed, as follows:

## YEAS:

Mr. Bates,  
Bristol,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Fitch,  
Frey,  
Gale,  
Goff,  
Gulick,  
Hand,  
Ingalls,  
Irwin,

Mr. Jennison,  
Jones,  
Lathrop,  
McDougall,  
Marsh,  
H. Miller,  
O. L. Miller,  
Mitchell,  
Murphy,  
Parkhurst,  
Poppleton,  
Ransom,  
Reno,  
Renwick,

Mr. Richardson,  
Baker,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Sutherland,  
Thompson,  
Toll,  
Traver,  
Warner,  
Worden,  
Speaker, *pro tem.*

42

## NAYS:

Mr. Strang,

1

The following message was then announced from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 14, 1853. }

*To the House of Representatives :*

A bill has been presented for my signature to provide for draining certain swamp lands. It provides that all the lands situated in fractional townships fourteen north of range five, six and seven east, and townships thirteen, north of ranges five, six and seven east, also

township twelve north of range six east, which were donated to this State by an act of Congress, approved September 28th, 1850, may be drained; and for this purpose be granted to some company, *to be formed thereafter by persons now unknown*, under the general plank road law. The plank road is to run from Lower Saginaw to Tuscola. The company is authorized to enter upon any of the lands above described for the purpose of draining them and constructing a plank road. A commissioner is to be appointed to examine the land, and certify to the drainage of the same, and *is to be paid for his services by the company*. There is much ambiguity in the third section, and its meaning is not clearly defined. It provides that the commissioner "shall examine the said land, and *such portions thereof* as shall have been sufficiently drained for cultivation by said company, he shall certify to be so drained, and such certificate or certificates shall be filed in the office of the Secretary of State, and a duplicate thereof delivered to the president of said company; and *all other lands* described in the certificate of said commissioner, shall be held in trust by the Governor for the benefit of said plank road company. The president and directors of said company may make sale of *the lands so held by the Governor*, and he is required to issue his patent therefor, to such person or persons as the president of said company may direct.

This grant is made to a company having no existence, no security or any contract is required. It is permitted to take possession of the lands which they may strip of all its timber. May not a construction of the third section admit of a collusion between the commissioner and the company so as to enable the latter to dispose of many of the most valuable of the lands, and appropriate the proceeds to to their own use, without expending a farthing for the accomplishment of the object designed by Congress?

The Secretary of the Interior has been frequently pressed without success, to consummate the grant. The act of Congress makes it his duty, as soon as practicable after its passage, to make out an accurate list and plats of the swamp and overflowed lands, and transmit the same to the Governor, and at the request of the Governor, cause a patent to be issued to the State therefor; *and on that patent*

*the fee simple to the lands shall vest in the State subject to the disposal of the Legislature thereof.* The Secretary of the Interior has positively refused to transmit a list or issue a patent for any of these lands, until the returns are made from all the federal land offices within the State. The land officers at the Saut have made no returns, and the State can receive no accurate or reliable information in relation to them, until this is done. No lists or plats having been transmitted, no patent has been issued. These lands according to the provisions of the act of Congress, are not yet subject to the disposal of the Legislature. Its action is therefore premature.

At present nothing is officially known of the quantity of these lands, their situation value or condition. Do you know the extent of the grant contained in the bill under consideration? Whether the lands are valuable or worthless? Whether they need to or can be drained, and how many lands there are in the townships designated? The quantity is variously estimated at from twenty-five thousand to two hundred thousand acres. I have given this subject heretofore some consideration, and made inquiry of the land officers here, and at Washington, and yet can form no reasonable conjecture upon these points. Is it wise then to legislate in the dark, without examination or proper information, and without any system being marked out or adopted?

The grant of Congress is magnificent. It is presumed to cover from three to four millions of acres of land, worth at least one million of dollars. I cannot but look upon this bill as an entering wedge to the resuscitation of an exploded system, which has deprived this State without any commensurate return, of the five hundred thousand acres of land heretofore granted by Congress. Does not wisdom and sound policy dictate a different course now?

In my message at the commencement of the session, I stated, as far as I was informed, the condition of this grant, and recommended that "the Commissioner of the State Land Office inquire into and ascertain, as near as may be, the condition of the lands, and report to the next Legislature some plan relative to the grant, and the accomplishment of its object." Further reflection has more fully convinced me of the propriety of this course.

I regret to be compelled, for the reasons assigned, to return the bill without my signature.

R. McCLELLAND.

The message having been read,

Mr. Ellsworth moved a reconsideration of the vote by which said bill was passed; but the House refused to reconsider, two-thirds of all the members elected not voting therefor, as follows:

YEAS :

Mr. Craven,  
Gale,  
Ingalls,

Mr. Lathrop,  
Lovell,  
O'Callaghan,

Mr. Richardson,  
Sherman,

NAYS :

Mr. Adams,  
Bates,  
Benedict,  
Bristol,  
Canfield,  
Chapel,  
Chittenden,  
Davis,  
Ellsworth,  
Ewing,  
Fitch,  
Fitzsimmons,  
Frey,  
J. Gleason,  
Goff,  
Griswold,  
Gulick,

Mr. Haight,  
Hand,  
Hase,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
Marsh,  
Matthews,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,  
Palmer,  
Parkhurst,  
Peppleton,

Mr. Ransom,  
Reno,  
Renwick,  
Rider,  
Root,  
Seymour,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Thompson,  
Toll,  
Traver,  
Warner,  
Speaker,  
Speaker, *pro tem.*

50

Mr. Ellsworth moved that Senate bill No. 152 be put upon its final passage; which motion,

On motion of Mr. Sutherland,

Was ordered to be laid on the table.

Mr. Sheldon moved to take from the table,

A bill to amend section 4 of an act entitled an act relative to plank roads, approved March 13, 1848, and all acts amendatory thereto.  
Lost.

Mr. Ely offered the following:

*Resolved*, That the Clerk of this House be authorized and directed to take such measures as may be required before the next meeting of the Legislature, for the warming and ventilation of the Hall of this

House, and that he cause the same to be done by the erection of suitable furnaces and ventilators with the latest and best improvements, in his discretion.

Which, on motion of Mr. Mitchell,

Was ordered laid on the table.

The following message was announced from the Senate :

SENATE CHAMBER,  
Lansing, February 14, 1853. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to inform the House that the Senate have passed

A bill to authorize the State Treasurer to receive from the general government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress, approved September 28, 1850, and to provide for pre-emption to swamp lands sold; also,

A joint resolution relative to the suspension of joint rule 10 ;

And ordered the said bill to take immediate effect by a two-thirds vote of all the Senators elect, and in which the concurrence of the House is asked.

Respectfully,

O. W. MOORE,

*Sec'y Senate.*

The joint resolution was adopted, and the bill read a first and second time and passed by the following vote :

YEAS:

Mr. Bailey,  
Bates,  
Bristol,  
Bonine,  
Canfield,  
Chittenden,  
Craven,  
Davis,  
Ellsworth,  
Ely,  
Ewing,  
Fitch,  
Fitzsimmons,

Mr. Gulick,  
Haight,  
Hand,  
Haze,  
Irwin,  
Jennison,  
Jones,  
McDougall,  
H. Miller,  
C. L. Miller,  
Mitchell,  
Murphy,  
Norton,

Mr. Reno,  
Renwick,  
Richardson,  
Rider,  
Root,  
Seymour,  
Sherman,  
Sheldon,  
Shoemaker,  
Smith,  
Strang,  
Sutherland,  
Thompson,

Frey,  
J. Gleason,  
Goff,  
Gregory,  
Green,

Palmer,  
Parkhurst,  
Poppleton,  
Ransom,

Toll,  
Traver,  
Warner,  
Speaker, *pro tem.*  
52

NAYS:

0

And on motion of Mr. Mitchell,

Ordered by a constitutional majority that the same should take immediate effect.

Mr. McWhorter offered the following resolution :

*Resolved.* That the thanks of this House be, and are hereby tendered to the Hon. Daniel G. Quackenboss, its Speaker, for the able, courteous, dignified, prompt and impartial manner in which he has at all times discharged the troublesome duties of his office during the present session.

Adopted unanimously.

And Mr. Bates the following :

*Resolved,* That the thanks of this House are due and are hereby tendered to Daniel P. Bushnell, Esq., for the prompt, courteous and impartial manner in which he has discharged the duties of Clerk of this House during the present session.

Unanimously adopted.

Mr. Mitchell the following :

*Resolved,* That the thanks of the House be and hereby are tendered to Andrew J. Graham, for the able and efficient manner in which he has discharged the duties of Reporter.

Adopted unanimously.

The Speaker then resumed the chair, and addressed the House as follows:

*Gentlemen of the House of Representatives:*

The hour of adjournment is now at hand, and the last sad duty of the Chair is to dissolve the official relations that have united this body for the last forty days, and we to return to our homes and constituents.

It has been my endeavor to perform the duties as Speaker of this House, impartially, and without prejudice, and from the kindness and forbearance shown to me by each and all of you, I have reason to hope that I have in part, succeeded; if so, I am content.

We may have differed in opinion, but permit me, in all sincerity to say, that every feeling but that of kindness to you all, has vanished at its birth, and I feel assured in saying, we part as friends.

Whatever may be my lot in future, whether acting in a public capacity, or in private life, I shall recur to our past associations on this floor, with emotions of gratitude and pleasure.

Our session has been a business one, and of great labor; a large amount of business has been before us, and almost the entire has been finished.

To our Clerk, the members of this House as well as myself, are under great obligations, for his unwearied exertions in the discharge of the various duties of his important office, which I feel sure have been discharged in a manner satisfactory to you all.

Our Sergeant-at-Arms, Reporter, the Engrossing and Enrolling Clerk, and assistant Clerks, also our Fireman and Messengers all have performed their duty in a manner satisfactory to me, and I trust to the entire satisfaction of this House.

And now, gentlemen, in conclusion, may each of you have a pleasant journey to your homes, and there receive the applause of your friends and constituents for your industry and action upon this floor.

Permit me further to say, that you have my earnest wishes for your prosperity and happiness hereafter, and with no other feelings than those of kindness, I now bid you one and all an affectionate farewell.

The Speaker then announced that the hour of twelve o'clock meridian having arrived, at which time the adjournment had been previously agreed upon by the two Houses, he declared the House adjourned without day.





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to extend the time for the collection and return of taxes in the townships of Campbell and Sebawa, in the county of Ionia, and for the purpose of authorizing the supervisors thereof to make out new and corrected tax rolls for said towns for the year 1852, and for other purposes, approved January 19, 1863, Mr. H. Miller, 57, 110, 111, 122, 127.

making appropriations for the salaries of State officers for the years 1853 and 1854, approved January 21, 1853, Senate, 69, 70, 76, 107, 119, 132, 163.

to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch, approved January 21, 1853, Senate, 37, 47, 99, 105, 114.

to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland, approved January 21, 1853, Mr. Parkhurst, 125, 152, 158, 168.

to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852, approved January 24, 1853, Mr. H. Miller, 56, 57, 175, 177, 190.

to repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839, approved January 24, 1853, Mr. Ransom, 65, 102, 106, 117, 118, 128, 131, 174, 175, 177, 190.

to amend the act entitled an act to provide for terms of the District Court in the Upper Peninsula, approved June 28, 1851, approved January 24, 1853, Mr. C. C. Ellsworth, 63, 143, 146, 154, 185, 195.

to provide for the payment of the expenses of the State government, approved January 24, 1853, Mr. Morton, 42, 134, 143, 154, 185, 195.

to amend section one, chapter 48, title 9 of the revised statutes of 1846, approved January 24, 1853, Mr. Reno, 47, 68, 107, 116, 124, 143, 146, 153, 185, 195.

ceding jurisdiction to the United States over divers tracts of lands for light houses, approved January 27, 1853, Senate, 46, 73, 74, 78, 143, 156, 176.

to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit, approved January 28, 1853, Senate, 207, 214, 218, 229.

to repeal section seven of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850, approved January 29, 1853, Senate, 141, 212, 218, 230.

- An act to amend section 2 of chapter 9 of the revised statutes of 1846, approved January 29, 1853, Senate, 176, 212, 219, 230.
- to organize the county of Emmet, approved January 29, 1853, Mr. Strang, 40, 75, 187, 193, 196, 226, 261, 263.
- to amend chapter 15 of the revised statutes of 1846, approved January 29, 1853, Mr. Mitchell, 68, 158, 169, 182, 225, 252, 261.
- to organize the county of Cheboygan, approved January 29, 1853, Mr. Strang, 79, 84, 158, 168, 180, 225, 253, 261, 458.
- to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking &c., approved January 29, 1853, Mr. Mitchell, 50, 54, 55, 134, 142, 156, 178, 224, 253, 261, 262.
- to provide for filing certain reports in the Auditor General's office, and for other purposes, approved January 29, 1853, Mr. Morton, 55, 107, 119, 133, 183, 224, 253, 261.
- to amend section 24 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers." Approved January 29, 1853, Mr. Mitchell, 43, 158, 168, 179, 225, 252, 261.
- to organize the township of Drummond. Approved January 26, 1853, Mr. Strang, 130, 137, 187, 193, 197, 226, 253, 261.
- relative to the bonds deposited by the banks in the Treasury of this State. Approved January 29, 1853, Mr. Ransom, 37, 158, 168, 179, 224, 253, 261.
- to change the name of the township of Northampton, in the county of Saginaw, to Chessening. Approved January 29, 1853, Mr. Ellsworth, 85, 158, 168, 181, 224, 253, 261.
- to amend the sixth section of chapter eleven, title two, of Revised Statutes of 1846. Approved January 29, 1853, Mr. Ransom, 124, 187, 193, 198, 226, 261.
- directing the Auditor General to credit the county of Monroe with certain delinquent taxes. Approved January 29, 1853, Senate, 140, 161, 204, 209.
- to authorize the District Judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon, Approved January 29, 1853, Senate, 164, 212, 218, 228.
- to incorporate the city of Adrian, approved January 31, 1853, Senate, 111, 125, 146, 161, 177, 178.
- to provide for the disposition of prisoners apprehended within the county of Montcalm. Approved January 31, 1853, Mr. Ellsworth, 29, 44, 187, 193, 198, 255, 263, 270.
- to extend the time for the collection of taxes in the township of Niles, in the county of Berrien. Approved February 1, 1853, Senate, 224, 242, 251.

- An act to organize certain townships in the county of Ontonagon, in the Upper Peninsula. Approved February 3, 1853, Mr. Sherman, 142, 232, 245, 278, 285, 293.
- to complete the organization of the county of Grand Traverse. Approved February 3, 1853, Mr. Strang, 40, 43, 126, 142, 149, 232, 246, 278, 285, 293.
- to attach the counties of Midland, Aranac, Gladwin, Isabella and Iosco, to the county of Saginaw, and for other purposes. Approved February 3, 1853 Mr. Sutherland, 112, 124, 232, 246, 247, 278, 284, 293.
- to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848. Approved February 4, 1853, Mr. Ewing, 140, 149, 232, 241, 288, 304, 306.
- to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act number thirty-nine of the session laws of 1849, and attached to the township of Henrietta, in said county. Approved February 4, 1853, Mr. Warner, 206, 232, 246, 263, 287, 301, 306.
- to provide for the construction of a ship canal around the Falls of St. Mary. Approved February 5, 1853.
- for the relief of James Waters. Approved February 5, 1853, Mr. Smith, 54, 107, 119, 132, 314, 324.
- ceding jurisdiction to the United States, over lot number one, section thirty-four, (34) in township number twenty-two, (22) north of range eight (8) east; also, over two tracts of land in Lake St. Clair. Approved February 5, 1853, Senate, 127, 265, 275, 289,
- to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores or minerals and for other manufacturing purposes. Approved February 5, 1853, Mr. Sherman, 97, 187, 192, 196, 201, 207, 287, 312, 324.
- authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases. Approved February 7, 1853, Mr. Smith, 67, 134, 143, 155, 306.
- to provide for taking the census and statistics of this State. Approved February 9, 1853, Mr. Morton, 96, 158, 169, 182, 325, 355, 378.
- to amend sections three, nine, eighteen, nineteen and twenty, of an act entitled an act relative to Plank Roads, approved March 13, 1848, and to add thereto six new sections, to stand as sections 25, 26, 27, 28, 29, 30. Approved February 9, 1853, Mr. Ransom, 112, 122, 137, 210, 216, 218, 314, 355, 378.

- A bill: to amend sections 13 and 18, of an act entitled An act to incorporate the village of Hillsdale. Approved February 9, 1853, Mr. Worden, 194, 232, 244, 287, 314, 355, 376.
- relative to surplus funds in the State Treasury. Approved February 9, 1853, Mr. Morton, 267, 308, 309, 324, 355, 372.
- to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw. Approved February 9, 1853, Mr. Sutherland, 227, 301, 308, 325, 355, 378.
- to amend an act to incorporate the Native Copper Company, approved March 31, 1849. Approved February 10, 1853, Senate, 314, 323, 389.
- to discontinue a certain road in the town of Martin, in the county of Allegan. Approved February 10, 1853, Mr. Traver, 190, 218, 231, 357, 398.
- to amend section thirty-two of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853. Approved February 10, 1853, Mr. Mitchell, 312, 327, 360, 375.
- to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee. Approved February 11, 1853, Mr. Green, 294, 29, 380, 410, 424.
- to prevent the wilful and malicious destruction of fruit, shade or ornamental trees. Approved February 11, 1853, Mr. Morton, 113, 126, 127, 204, 208, 277, 300, 351, 377, 410.
- to provide for the publication of Probate and other legal notices. Approved February 11, 1853, Mr. Norton, 29, 44, 99, 105, 114, 318, 410.
- to provide for the payment of specific taxes to the counties in the Upper Peninsula. Approved February 12, 1853, Mr. Sherman, 388, 415, 419, 428, 447, 464.
- to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year eighteen hundred and fifty-two, and to extend the time for the collection thereof. Approved February 12, 1853, Mr. Ely, 192, 201, 386, 394, 425, 447, 464.
- to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2d, eighteen hundred and fifty; and also, to amend an act, entitled an act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4th, eighteen hundred and fifty-one. Approved February 12, 1853, Mr. Palmer, 40, 43, 219, 231, 436, 447, 464.
- to amend sections two, twenty-seven, thirty-nine and forty, of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851. Approved February 12, 1853, Mr. Parkhurst, 188, 240, 370, 371, 412, 447, 464.

- A bill to complete the judicial organization of the State. Approved February 12, 1853, Mr. Sutherland, 855, 361, 406, 426, 447, 464.
- to amend section six of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan. Approved February 12, 1853, Mr. Worden, 276, 322, 435, 447, 464, 414, 417.
- relative to the University Interest Fund. Approved February 12, 1853, Senate, 286, 396, 408, 421, 429, 343, 344.
- supplementary to an act to provide for the construction of a Ship Canal around the Falls of St. Mary's, approved February 5, 1853. Approved February 12, 1853, Senate, 410, 413, 414, 415.
- to amend act number ninety (90) of the Session Laws of eighteen hundred and fifty one, (1851) entitled an act to incorporate the village of Mount Clemens, approved April fourth, (4) eighteen hundred and fifty-one, (1851.) Approved February 12, 1853, Mr. Ellsworth, 58, 120, 395, 396, 412, 423, 466.
- supplementary to an act entitled an act relative to surplus funds in State Treasury, being House bill of present session No. 73. Approved February 12, 1853, Mr. Ransom, 353, 378, 412, 413, 423, 446.
- to incorporate the village of Hudson. Approved February 12, 1853, Mr. Chittenden, 295, 387, 346, 405, 427, 435.
- to provide for the survey of the public highways in the township of White Pigeon, in the county of St. Joseph. Approved February 12, 1853, Mr. Frey, 113, 299, 346, 359, 413, 427, 465.
- prohibiting the manufacture of intoxicating beverages and the traffic therein. Approved February 12, 1853, Mr. Poppleton, 149, 194, 199, 202, 203, 215, 235, 236, 227, 288, 289, 240, 257, 258, 290, 291, 292, 293, 357, 378, 388, 424, 435.
- to provide for the collection of taxes in the township of Wynn, in the county of St. Clair, for the year 1853, and to extend the time for the collection thereof. Approved February 12, 1853, Mr. Mitchell, 362, 393, 417, 424.
- relating to telegraph operators and others. Approved February 12, 1853, Mr. Ewing, 399, 396, 397, 423, 427, 435.
- to organize the village of Auchville, in the county of Tuscola. Approved February 12, 1853, Mr. Warner, 45, 76, 223, 317, 405, 419, 424.
- to provide for the draining of a certain Lake in the township of Springfield, Oakland county. Approved February 12, 1853, Mr. Ellsworth, 310, 365, 396, 417, 424.



- A bill authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties. Approved February 12, 1853, Mr. Shoemaker, 113, 222, 340, 348, 367, 406, 410, 416, 424.
- to amend section sixty-one of chapter fourteen of the Revised Statutes. Approved February 12, 1853, Senate, 164, 275, 421, 432.
- to amend section two of an act entitled an act to incorporate the Michigan Mining Company. Approved February 12, 1853, Senate, 213, 255, 408, 421, 433.
- to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne. Approved February 12, 1853, Senate, 256, 284, 408, 422, 431.
- to provide for the transfer of the records, files, books, papers and judgements in the county courts to the circuit courts. Approved February 12, 1853, Senate, 267, 275, 408, 421, 431.
- to authorize the State Treasurer to receive from the General Government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress, approved September 28, 1850. Approved February 14, 1853, Senate, 469, 470.
- to amend section nine of an act entitled an act to provide for funding the outstanding Internal Improvement Warrants of this state, and the interest due thereon, and also for liquidating and funding the amount of principal and interest actually due upon the part paid four million land bond, approved April 1, 1848. Approved February 14, 1853, Senate, 242, 255, 408, 421, 433.
- making appropriations for the State Normal School. Approved February 14, 1853, Senate, 356, 357, 359, 450.
- to provide for an additional circuit court commissioner for the county of Wayne. Approved February 14, 1853, Senate, 225, 408, 422, 430, 432.
- in aid of the Michigan Asylums. Approved February 14, 1853, Senate, 341, 408, 420, 421, 430, 454.
- appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia. Approved February 14, 1853, Mr. Ingalls, 279, 366, 298, 385, 425, 459, 460.
- to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851, approved February 14, 1853, Mr. Merton, 381, 454, 459, 460.

- A, bill to provide for the erection of a prison for the purpose of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor, approved February 14, 1853, Senate, 436, 437, 438.**
- to provide for the discharge of certain duties required to be performed by circuit court commissioners, approved February 14, 1853, Senate, 267, 277, 279, 283, 408, 422, 431.**
- to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road, approved February 14, 1853, Mr. Sutherland, 130, 222, 223, 238, 308, 368, 364, 380, 381, 423, 459, 460.**
- to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, Mr. Morton, 76, 158, 169, 170, 173, 183, 184, 450, 459, 460.**
- for the construction of public offices at the seat of government at Lansing, approved February 14, 1853, Senate, 285, 313, 381, 382, 411, 412, 423, 427.**
- to amend an act entitled an act to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848, approved February 14, 1853, Mr. Root, 244, 253, 368, 395, 412, 459, 460.**
- to amend section 7 of chapter 72 of the revised statutes of 1846, approved February 14, 1853, Senate, 424, 428, 464.**
- to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works, approved February 14, 1853, Senate, 813, 872, 460, 461.**
- supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, and to repeal an act supplementary to said act, approved June 27, 1851, approved February 14 1853, Senate, 379, 386, 461, 462.**
- to amend sections five and six of an act to organize the county of Cheboygan, approved February 14, 1853, Senate, 411, 458.**
- making an appropriation to aid the Michigan State Agricultural Society, and to provide for publishing the annual reports of said Society, approved February 14, 1853, Senate, 399, 409, 455, 456, 457, 458.**
- to amend section 2 of chapter 103 of the revised statutes of 1846, relative to trial of issues of fact, approved February 14, 1853, Senate, 373, 386, 462.**
- to authorize the Governor to convey certain land to the First Universalist Church, and the First Wesleyan Methodist Church and Society in Lansing, approved February 14, 1853, Senate, 361, 373, 465.**

A bill to amend sections 17 and 18 of chapter 103 of the revised statutes of 1846, approved February 14, 1853, Senate, 379, 386, 462, 463.

to provide for a meeting of the State Board of Equalization in 1853, approved February 14, 1853, Mr. Morton, 359, 454, 455, 459, 460.

### BILLS—ACTION ON AND NOT PASSED.

A bill for the construction of a ship canal at the Falls of St. Marie's River, Mr. Ely, 16, 27, 84, 173, 195, 241, 259, 264, 281, 294, 305, 306, 307, 340, 354.

to amend an act entitled an act to organize the county of Montcalm, Mr. Ellsworth, 45, 67.

to provide for the incorporation of railroad companies, Mr. Worden, 74, 125, 167, 254, 259, 261, 262, 263, 269, 353, 354, 282, 295, 304, 309, 315, 316, 317, 318, 319, 320, 326, 329, 330, 331, 332, 334, 335, 336, 350, 337, 349.

to provide for the incorporation of institutions of learning, Mr. Worden, 75, 232, 241, 340, 349, 368.

to amend section 22 of chapter 58 of the revised statutes of 1846, Mr. Ellsworth, 78, 189, 340, 348, 368.

to set off from the county of Kent, towns 9 and 10 north of range 9 west, and annex the same to the county of Montcalm, Mr. Ellsworth, 78, 99, 105, 115, 136, 137, 340, 349, 370.

to fix the grade and mode of construction of the Pontiac and Groveland Plank Road Company, Mr. Marsh, 79, 110, 251, 259.

to amend the laws incorporating the city of Detroit, and the several acts amendatory thereof, Mr. O'Callaghan, 80, 337, 408, 422, 435, 460, 461.

relative to brokers and exchange dealers, Mr. Morton, 84, 143, 144.

to amend chapter 20 of the revised statutes of 1846, Mr. Fitch, 103, 150, 204.

to amend section one of an act entitled an act to amend chapter 25 of the revised statutes of 1846, Senate, 97, 109, 379, 386.

supplementary to an act to incorporate the Kalamazoo and Grand Rapids Plank Road Company, Mr. Ransom, 112.

to amend section 18, chapter 25 of the revised statutes of 1846, Mr. Bonine, 112, 275.

to amend chapter 98, title 21 of the revised statutes of 1846, relative to taxing of costs in justices courts, Mr. Warner, 112.

to provide for the opening and improvement of a certain State road in the county of Saginaw, Mr. Craven, 213.

- A bill to provide for the opening and improvement of a certain road in the town of Gratiot, Mr. Craven, 113.
- to amend chapter 60, section one of the revised statutes of 1846, Mr. C. L. Miler, 113, 126, 204, 205, 343.
- to provide for a sinking fund, Mr. Morton, 42, 43, 145, 157, 167.
- to amend chapter 47, section one, title nine of the Revised Statutes of 1846, Mr. Seymour, 143.
- relative to claims against the State, Mr. Ransom, 148.
- to provide for taxing foreign Insurance Companies, Senate, 152, 200, 204.
- to amend an act entitled an act to authorize proceedings against garnishees, approved March 28, 1849, Mr. Ellsworth, 153, 220.
- to extend and define the boundaries and jurisdiction of certain counties, Mr. Strang, 166, 213.
- to amend sections 54, 55, 58 and 60, of chapter 98 of the Revised Statutes of 1846, Mr. Ellsworth, 167, 453.
- supplementary to the common school law, Mr. O'Callaghan, 191, 417, 418, 415.
- to amend sections 14 and 15, of act 156, session laws of 1851, Mr. Norton, 110, 158, 181.
- to amend section 1, act 156, session laws of 1851, defining the powers and duties of boards of supervisors, Mr. Fitch, 47, 74, 169.
- to authorize the supervisors of Scio and Webster, in the county of Washtenaw to raise \$200 by an assessment on all taxable property, in fractional school district No. 9, in said townships, and to authorize the township treasurers of said townships to collect and pay over the same, Mr. Ewing, 176, 260.
- regulating and defining the fees of the judges of the court of probate, Mr. Poppleton, 176.
- to amend section 8 of an act entitled an act to incorporate the Port Huron and Lake Michigan Rail Road Company, Mr. Mitchell, 177, 266, 384.
- establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes, Mr. Fitzsimons, 192, 342, 354, 367.
- authorizing the construction of a road from Croton, in the county of Newaygo, to the Straits of Mackinaw, Mr. Strang, 194, 265, 448.
- to amend section 11, clause 15 of act 156, of the session laws of 1851, Mr. Craven, 196.
- to amend chapter 94 of the Revised Statutes of 1846, of criminal proceedings before justices of the peace, Mr. Sutherland, 202, 263, 340, 348, 391.
- providing for the compensation of judges of probate, Mr. Ellsworth, 202, 340, 390, 426.

- A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons, Mr. Ransom, 142, 202, 206, 355, 369.
- providing for the allowance of costs in certain cases, Mr. Sutherland, 207, 258.
- to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, 158, 213, 341, 374, 394, 407, 434.
- to provide for the incorporation of individuals and associations of persons for the purposes of banking, Mr. Parkhurst, 213.
- to authorize the formation of insurance companies, Mr. Worden, 221.
- to amend sections 1 and 2 of an act to amend an act to incorporate the Michigan and Huron Institute, Mr. Mitchell, 221.
- to furnish each school district in the State the unabridged American dictionary of the English language, by Noah Webster, Mr. Mitchell, 222, 270, 271, 272, 289, 302, 312, 328, 329.
- to amend an act entitled an act to amend sections 1, 2 and 3 of chapter 95 of R. S. of 1846, Mr. Parkhurst, 47, 227, 397.
- to amend the charter of the Troy and Rochester Rail Road Company, Mr. H. Miller, 227, 266.
- to change the name of the township of Clarence, in Calhoun county to that of Duck Lake, Mr. Palmer, 228, 409.
- to amend section 2 of chapter 22 of the Revised Statutes of 1846, in relation to powers and duties of highway commissioners, Mr. Craven, 223, 275.
- to amend chapter 29, of R. S. of 1846, relative to the powers and duties of overseers of highways, Mr. Craven, 228, 276.
- to revise an act entitled an act to provide for the removal of the State Land Office to the seat of Government, Mr. Davis, 242, 399, 404, 405, 407.
- to amend act 137, of session laws of 1846, Mr. Gregory, 243.
- to amend sections 3, 16, 46, 48, 49, 54, 55, 58, 59, 60, 96, 131, 140, 141, 142, 143, 152, 153, 154, 155, 158, 159, 160, 164, 169, 170, 172, 174, and to repeal sections 144, 145, 161, 162, of chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace, Mr. Mitchell, 254, 253.
- to provide for the expenditure of highway labor, Mr. H. Miller, 256, 346.

- A bill to authorize the Auditor General to credit on the books of the office certain delinquent taxes heretofore credited to the county of Saginaw, and to adjust such accounts between said county and State, Mr. Richardson, 256, 275, 276.
- to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of the circuit courts, Senate, 102, 275, 408, 422, 430.
- to amend sections 18 and 15 of an act to incorporate the Farmer's and Merchant's Bank of Ann Arbor, Mr. Worden, 276, 300, 311, 322, 342, 358, 391, 392, 393, 401.
- to amend sections 13 and 15 of an act to incorporate the President, Directors and Company of the Peninsular Bank, Mr. Worden, 276.
- to amend sections 11 and 13 of an act to incorporate the Michigan Insurance Company, Mr. Worden, 276.
- for regulating and defining the fees of judges of the court of probate, Mr. Ransom, 276.
- to amend section 34, chapter 29, title 5 of the revised statutes of 1846, Mr. Ransom, 276.
- to provide for the appropriation of certain non-resident highway taxes upon certain roads, Mr. Ingalls, 279.
- to amend an act passed March 24, 1861, entitled an act to incorporate the city of Monroe, and certain acts amendatory thereof, Mr. Norton, 296.
- to amend act 142 of session laws of 1851, Mr. Morton, 297.
- to annex the county of Mecosta to the township of Montcalm, in the county of Montcalm, Mr. Ellsworth, 298.
- to provide for laying out and establishing certain roads in the counties of Tuscola and Lapeer, Mr. Richardson, 301, 312.
- to change the name of Julian Allen, Mr. Gale, 308, 315, 326.
- defining the number of commissioners of highways in the several townships, Mr. Ellsworth, 308.
- to provide for laying out private roads, Mr. C. L. Miller, 308.
- authorizing the construction of the Bay de Noquet road in the Upper Peninsula, Mr. Ely, 323, 449.
- to establish an agricultural school, Senate, 324, 350, 414, 415, 450, 451, 452, 454.
- to amend an act entitled an act to incorporate the village of Romeo, Senate, 325, 374.
- to provide for the discharging of record of certain mortgages executed under the act entitled an act to organize and regulate banking associations, Senate, 341, 342, 397.
- to amend sections 1 and 2 of an act authorizing the Commissioner of the State Land Office to sell certain primary school lands, Mr. Mitchell, 343, 463.
- to amend chapter 131 of title 24 of the revised statutes of 1846, Mr. Mitchell, 344.

- A bill** to create a road fund for the benefit of the State road between Lansing, in Ingham county, and Eaton Rapids, in Eaton county, and to authorize the appointment of commissioners to expend the same, Mr. Ely, 344.
- to provide for the form of a deed of real estate, Mr. H. Miller, 345, 371, 453.
- to enable the township of Decatur, in the county of Van Buren, to raise a certain tax, and for other purposes, Mr. Sheldon, 345, 375.
- to amend the revised statutes of 1846, concerning the disturbing religious meetings, Mr. Strang, 346, 370.
- to amend an act entitled an act to incorporate the Cleveland Mining Company of Michigan, approved April 3, 1851, Mr. Sherman, 350.
- to authorize the board of supervisors of Van Buren county, to loan the credit of said county to certain plank road companies, Mr. Worden, 351.
- to amend an act entitled an act relative to costs in criminal cases, approved March 13, 1849, Mr. Ellsworth, 360.
- to amend an act entitled an act to incorporate the Detroit River Sectional Dock, Dry Dock and Marine Railway Company, Senate, 361, 387.
- to amend chapter 58, of Revised Statutes of 1846, Mr. Gregory, 367, 373, 389.
- to amend the charter of the Pontiac and Genesee Rail Road Company, Mr. Chittenden, 373.
- to organize the county of Delta in the Upper Peninsula, Mr. Ellsworth, 377, 458, 459.
- relating to what evidence may be given in actions for the recovery of lands, tenements, or real estate, Senate, 378.
- to amend sections 54, 55, 58, and 60 of Revised Statutes of 1846, relative to proceedings in justices courts, Senate, 378.
- to amend an act entitled an act to incorporate the city of Grand Rapids, Senate, 379.
- relative to indictments, Senate, 376, 386.
- to provide for draining swamp lands in the county of Kalamazoo, Mr. Smith, 387, 426, 452, 345, 465, 468, 467.
- to attach certain unorganized counties, to other counties which are organized, Mr. Strang, 390.
- to change the names of certain townships in Newaygo, Mr. Strang, 390, 394.
- relative to the University of Michigan, Mr. Mitchell, 393, 405, 406.
- to incorporate the village of Flint, Senate, 436.
- to incorporate the village of Zilwankie, Senate, 437.
- to amend section 3 of an act entitled an act to incorporate the Paw Paw and Allegan Plank Road Company, Senate, 446.

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| A bill to amend section 2 of an act entitled an act to incorporate the<br>Paw Paw Plank Road Company, Senate, 446.                                                                                    |     |
| to amend section 4 of an act entitled an act relative to plank<br>roads, aproved March 13, 1848, and all acts amendatory<br>thereto, Senate, 446, 468.                                                |     |
| to re-enact sections 24 and 25 of chapter 90 of the revised<br>statutes, and to repeal section 16 of an act to prohibit the<br>maintaining suits in equity, approved June 27, 1851, Sen-<br>ate, 151. |     |
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